HISTORY

OF

GREAT BRITAIN,

FROM

THE REVOLUTION

TO

THE SESSION OF PARLIAMENT ENDING A. D. 1793.

By W. BELSHAM.

IN FOUR VOLUMES.

VOL. IV.

Ac mihi quidem videntur huc omnia eſſe referenda ab iis qui præſunt aliis, ut ii qui eorum in imperio erunt ſint quàm beatiſſimi. CICERO.

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HISTORY

PREFACE.

THE Volumes of this Hiſtory ſubſequent to the Brunſwic acceſſion, now arrived, through the unexpected favor of the Public, at a third and enlarged Edition, have by Cenſors, to whoſe judgment reſpect is due, been objected againſt as "deficient in authorities." To this accuſation it is obvious to anſwer, that nothing would have been eaſier than to fill the margin and a great part of every page with hiſtorical references and citations. But this parade of authorities would too evidently have ſwelled the ſize without adding to the value of the Work; for the Author pretended not to the merit of making new diſcoveries. The events and occurrences contained in the Hiſtory were never diſputed; why then oſtentatiouſly labor to eſtabliſh what no one was diſpoſed to controvert? If any thing can be conſidered as *novel* in the Hiſtory of the two elder Monarchs of the Brunſwic line, it is the frequent and poſitive aſſertion that Bremen, Verden, and Mecklenburg were the true ſprings of the foreign or continental politics of the Court of London for almoſt twenty years. This is not indeed confirmed by marginal references, but by a ſtate-

a ſtatement of known and acknowledged facts, combined with original documents, blended and conſolidated with the narrative, ſo as to enforce conviction on the moſt ſtubborn incredulity. If the evidence actually adduced could be ſuppoſed inſufficient, proofs without number ſtill remain to be added.

With regard to the preſent reign, whatever appears remote from general knowledge, is related on the authority of perſons the diſcloſure of whoſe names, however flattering to the pride of the writer, would be highly and manifeſtly improper. In this reſpect, therefore, the Hiſtory muſt be conſidered as an original Work, the credit due to which muſt depend, at leaſt for a time, upon the general reputation of the Author; who has inſerted nothing but what he had the beſt reaſon to rely upon as authentic. In that part of the Hiſtory which he conceived moſt liable to animadverſion—the affairs of India—as in the caſe of Bremen and Verden—he did not content himſelf with bare references, but he has corroborated his narrative by more than an hundred quotations from original authorities, in little more than as many pages—thus willingly ſacrificing elegance to exactitude.

In relation to the preſent volume, it muſt ſuffice to ſay that the Author has deviated little, if at all, from his original plan. Where he has varied from the earlier hiſtories, he has not merely referred to but quoted his authorities; which are chiefly Sir John Dalrymple and Mr. Macpherſon; to whom the Public owe great obligation for their intereſting and important communications. Ralph is a vaſt ſtorehouſe of hiſtoric information; and his minute and laudable accuracy

as

as an annaliſt, makes ample compenſation for his literary defects, his captious comments, and perverſe paradoxes. Biſhop Burnet is, for the moſt part, highly entertaining, notwithſtanding his vanity, his negligence, his credulity, and his prejudices. Placed in the midſt of the ſcenes which he delineates with a rough, not a feeble, pencil, he has evidently no reſerves or diſguiſe: and though his authority is very ſlender, unſupported by any concurrent teſtimony, yet is his hiſtory ſuch as every ſucceeding writer with caution may greatly avail himſelf of. Tindal, an obſequious Whig devoted to the politics of the Court, contains very valuable materials, although thrown together in a ſort of chaotic maſs at once unanimated and unenlightened. Smollet had unqueſtionably talents, but his genius was entirely turned to the low and the ludicrous. Of the dignity and beauty of hiſtoric compoſition he had no conception; and much leſs could he boaſt of poſſeſſing any portion of its all-pervading and philoſophic ſpirit. His work is a dull and often malignant compilation, equally deſtitute of inſtruction or of amuſement. The Parliamentary Debates and Journals ſupplied an inexhauſtible fund of matter; and the State-papers of Cole, Hardwick, Lamberti, &c. have been conſulted with much advantage. A multitude of inferior, but by no means unimportant, publications have alſo been peruſed with no little care and aſſiduity; ſuch as the Memoirs of the Duke of Berwick, of the Marquis de Feuquieres, M. de Torcy, M. de Villars, M. Meſnager, Lediard's Life of the Duke of Marlborough, Ducheſs of Marlborough's Narrative, Colonel Hook's Negotiations in Scotland, Lord Balcarras's Letter to King James, &c. &c. and numerous quotations made from them, as will appear in the courſe of the Work.

If

If after this the preſent Hiſtory be ſtill cenſured as "deficient in authorities," the Author will ſilently and patiently await the public award; not being apprehenſive that any of the facts recorded in it are likely even to be queſtioned; and much leſs liable to be refuted.

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1660.

Character of King Charles II.

CHARLES II. was endowed by nature with qualities which gave him a juſt title to popularity; and his wonderful reſtoration to the throne of his anceſtors, amidſt the univerſal acclamations of his ſubjects, after twenty years of calamity and confuſion, ſeemed to prognoſticate a reign of unexampled felicity. Adverſity has been ſtyled the ſchool of princes; and he poſſeſſed a capacity which might have enabled him to derive the moſt eſſential benefits from its diſcipline. His knowledge, though not extenſive or profound, was of that ſpecies which in public life is of the higheſt importance, and which, if it had been rightly applied, would have conferred an honorable diſtinction upon his character. He was well acquainted with hiſtory and politics; he underſtood the intereſts of his country, and perfectly knew the rank ſhe was entitled to hold amongſt the Powers of Europe. He was poſſeſſed of the moſt inſinuating and graceful addreſs; and, without departing from the dignity of his ſtation, he knew how to charm all who approached his perſon, by the unaffected condeſcenſion and engaging affability of his manners. Notwithſtanding, however, the flattering appearances which raiſed ſo high the hopes of his ſubjects, and the expectations of the world, ſuch and ſo great were his deviations from the ſtandard of political and moral rectitude,

rectitude, that he incurred, before the concluſion of his reign, the indignation, the odium and contempt of every friend of liberty and of virtue.

His diſcreet appointment of Miniſters.

The Declaration from Breda, the appointment of the Earl of Clarendon to the poſt of Prime Miniſter, the admiſſion of Anneſley, Aſhley Cooper, Hollis, Robarts and Mancheſter, the leaders of the Preſbyterian party, to the royal councils, and the Act of Indemnity paſſed by the Convention Parliament, were meaſures well calculated to conciliate the affections of the Nation, and to reſtore peace, order, and general harmony. During the ſitting of the Convention Parliament, in which the Preſbyterian intereſt predominated, and which regarded the proceedings of the Government with a watchful and jealous eye, affairs were conducted with prudence and moderation. That aſſembly was diſſolved in December 1660; and in May 1661 a new Parliament was convened, which 1661. quickly appeared to be of a complexion very different from the preceding one, and from which the perfidy of the King and the violent and wretched bigotry of the Earl of Clarendon might expect the higheſt encouragement and applauſe. This celebrated Miniſter was poſſeſſed of very ſhining virtues, both in public and private life. His capacity, if not of the firſt rate, was however not inadequate to his elevated ſtation; and his integrity and probity are univerſally acknowledged. He had the intereſts not only of the king but of the kingdom really at heart; and though the meaſures of his adminiſtration were often extremely exceptionable, they invariably proceeded from a firm perſuaſion that they were calculated to promote the welfare and happineſs of the community. The grand defect in the character of this nobleman was a want of liberality and comprehenſion of mind. He was a religious bigot; a character totally incompatible with that of a great ſtateſman. He was under the influence of a thouſand weakneſſes and prejudices; his ideas of the nature and extent of regal authority were extravagantly high; he was wholly unacquainted with the principles of toleration. He was haughty, intractable, conceited and moroſe; and entirely deſtitute of that ſpirit of mild wiſdom and enlightened benevolence which conſtitutes the higheſt perfection of the human character.

Character of the Earl of Clarendon.

Change of measures.

The firſt act paſſed by the new Parliament pronounced every perſon who dared to affirm the King to be a Papiſt, incapable of holding any employment in Church or State—a meaſure which obviouſly tended to increaſe the ſuſpicions already entertained reſpecting this point. The Biſhops, who had been previouſly reſtored to their ſpiritual functions by virtue of the royal prerogative exerciſed under color of the Act of Supremacy, were now admitted to their former ſtations in Parliament, from which they had been ſo long excluded. The power of the ſword, which had been the immediate cauſe of the civil war, was ſolemnly relinquiſhed, and the doctrine of non-reſiſtance explicitly avowed. The Crown was inveſted with a power of regulating, or rather of new-modelling, all the corporations throughout the kingdom at pleaſure; and all magiſtrates were obliged to declare, that it was not lawful, upon any pretence whatever, to take up arms againſt the Crown. All theſe different meaſures, however, were but ſo many preludes to the famous Act of Uniformity, which took place in the ſame ſeſſion; and which fell like a thunderbolt on the devoted heads of the Preſbyterian party, i. e. upon a claſs of men who conſtituted at this period at leaſt one half of the Nation.

Act of Uniformity.

To exhibit this act in its proper colors, it muſt be remembered, that the Convention Parliament which reſtored the King was compoſed chiefly of Preſbyterians; and that their generoſity had ſo far exceeded the limits of diſcretion, as to induce them to rely with unſuſpecting confidence upon the Royal Declaration from Breda, in which they were flattered with the proſpect of a general amneſty and liberty of conſcience, and to reject the advice of the more ſagacious members of that aſſembly, who were of opinion that ſpecific conditions ſhould be offered to the King, who, in that critical ſituation of his affairs, would gladly have acquieſced in whatever terms had been propoſed. By the Act of Uniformity, however, the Church was not only re-eſtabliſhed in all her priſtine rights, but the terms of conformity were made ſtill more rigorous than in any former period, with the expreſs view of excluding all of the Preſbyterian denomination from the national communion; in conſe-

quence of which, about two thouſand of the beneficed clergy voluntarily relinquiſhed their preferments on Bartholomew-day 1662, when the Act of Uniformity, by a refinement of cruelty, was to take place, in order to prevent thoſe who ſhould reſign their livings from reaping any advantage from the tythes of the preceding year. After making every allowance for that mixture of adventitious motives by which in ſuch ſituations human nature will be ever in ſome degree actuated, this muſt certainly be regarded as an aſtoniſhing ſacrifice of temporal intereſt to integrity and conſcience, and as exhibiting a ſtriking proof of the deep impreſſion which the Chriſtian Religion is capable of making on the heart. But when we examine minutely into the reaſons upon which this magnanimous receſſion was founded, we cannot but ſtand amazed at their extreme frivolouſneſs and futility; and our admiration is almoſt annihilated by contempt. The leaders of the Preſbyterians, who were many of them men of great learning and abilities, did not object to a national eſtabliſhment as ſuch; they were far even from profeſſing to diſapprove of the government of the Church by Biſhops; to the theological ſyſtem contained in the Thirty-nine Articles they were very ſtrongly attached; and the uſe of a public formulary of worſhip they generally regarded not only as lawful but expedient. To what then did they object?—To ſubmit to re-ordination, by which the validity of the prior ordination by a preſbytery would virtually be impugned. They could not in conſcience conſent to kneel at the ſacrament of the Lord's Supper; nor could they make uſe of the ſign of the croſs in Baptiſm; nor prevail upon themſelves to bow at the name of Jeſus; nor would they countenance the ſuperſtitions of the Romiſh church by wearing the eccleſiaſtical veſtments, which they reckoned amongſt the deteſtable abominations of that Mother of Harlots. It is difficult to determine, whether a greater degree of bigotry was diſcoverable in inſiſting upon theſe petty obſervances as terms of communion, or in rejecting them as anti-chriſtian and unlawful. This, however, is certain, that Clarendon, who was now poſſeſſed of abſolute authority, muſt have drank deep into the ſpirit of Laud, to have urged a meaſure which had a direct tendency to alienate the minds of half the Nation from the

1662.

King's

King's perſon and government, which plunged a great number of worthy and conſcientious men into the depths of indigence and diſtreſs, and which laid an extenſive foundation for a ſchiſm, which ſtill ſubſiſts, and which has been productive of very pernicious conſequences. Though it muſt be acknowledged, that much good has likewiſe reſulted from it, but of ſuch a nature that the faintest idea of it could never enter within the narrow views of that honeſt but miſtaken Miniſter.

Marriage of the King.

In the ſummer of 1662, the inauſpicious marriage of the King with Catherine Infanta of Portugal was concluded. The conduct of the Chancellor reſpecting this important event diſcovers rather acquieſcence than approbation. The miſchievous effects of a Catholic alliance were ſurely ſufficiently obvious by the example of the former reign; and how the intereſts of this kingdom could be promoted by eſtabliſhing the independency of Portugal, which was the great political conſequence to be expected from this union, it were not eaſy to demonſtrate. Spain was already ſunk much too low in the ſcale of power; and nothing could more effectually contribute to confirm the dangerous aſcendency recently acquired by France, than this violent diſmemberment of her empire.

Sale of Dunkirk.

In the ſame year a tranſaction took place, which has uſually been repreſented as highly ſcandalous, and even criminal—the ſale of Dunkirk. But it muſt be remembered, that the revenue of the Crown was at this period very narrow, and the expence of maintaining Dunkirk diſproportionately great, compared either with the amount of the revenue or the advantage ariſing from the poſſeſſion. The diminution of the national honor by the ſale of the place was therefore the only reaſonable objection to which it was liable. Under the falſe and viſionary idea, that eſſential benefits are to be derived from the poſſeſſion of fortreſſes in foreign kingdoms, Calais, Dunkirk, Tangier, Port Mahon, and Gibraltar, have ſucceſſively been occupied at an immenſe expence of blood and treaſure; and the abſurd and unjuſt retention of the laſt of theſe places

ſhews

ſhews that the Nation is not yet recovered from this ſpecies of political *mania*.

Before the cloſe of this year, the King exhibited plain indications of that attachment to the Catholic religion which was ſo remarkable a characteriſtic of the Stuart family, and which at length terminated in their total ruin. In December he iſſued a declaration, in which was expreſſed his intention of mitigating the rigor of the penal laws in favor of his peaceable non-conforming ſubjects, by virtue of his diſpenſing power. But the Houſe of Commons, who were equally adverſe to Papiſts and Preſbyterians, ſtrongly remonſtrating againſt the propoſed indulgence, the King gave the firſt proof of that cautious and accommodating ſpirit which never forſook him, even when engaged in the proſecution of the deepeſt and moſt dangerous deſigns, by immediately deſiſting from his project; and, in order to pacify the Parliament, a proclamation was ſoon after iſſued againſt Jeſuits and Romiſh prieſts. First Declaration of Indulgence.

From this time, however, it was obſerved that the Earl of Clarendon began to decline from that height of favor he had hitherto enjoyed. The King became ſenſible that this inflexible Miniſter, notwithſtanding his high theoretical principles, could never be brought to ſupport any deſigns which might be formed either for the actual extenſion of Prerogative, or for the advancement of Popery. The reſolution taken by the Court in the following year, not without the concurrence of the Parliament and the approbation of the Nation in general, to declare war againſt Holland, evidently marked the declenſion, or rather the annihilation, of that nobleman's authority. The King's ſettled averſion to the manners, government, and religion of the Dutch Nation was the real ground of this war; and the jealouſy entertained of thoſe induſtrious republicans as commercial rivals was the cauſe of its popularity. It was, nevertheleſs, ſo palpably unjuſt, that the Chancellor, whoſe probity remained unſhaken in the midſt of temptation, openly remonſtrated againſt it, but without any effect. The war, however, was not carried on with that ſucceſs which was expected. France and Denmark declared in favor of Holland; and the First Dutch War.

the King, notwithſtanding the memorable inſult he received from the
1667. Dutch fleet commanded by De Ruyter, who in the ſummer of 1667 ſailed up the Medway and burnt ſeveral men of war lying in that river, thought proper to ſign a treaty of peace at Breda in July, and to reſerve to a more favorable opportunity the complete gratification of his hatred and revenge. The diſgrace of the Chancellor immediately followed. Popular prejudices ran high againſt him; and the King had the baſeneſs and ingratitude to encourage a parliamentary impeachment for high treaſon againſt the man to whom he owed the moſt important obligations, who had been the guide and counſellor of his youth, and in whom he had once placed the moſt unlimited confidence. Happily he found means to eſcape into France, where he ſpent the remainder of his life in philoſophic and dignified retirement.

Diſgrace of the Earl of Clarendon.

Triple Alliance.

The firſt political meaſure of the Court after this event has met with very great and deſerved applauſe. This was no other than the famous Triple Alliance concluded between England, Holland, and Sweden, for the avowed purpoſe of putting a ſtop to the military progreſs of the French Monarch, whoſe power began about this time to appear extremely formidable, and who had, in contempt of every appearance of juſtice, entered the Spaniſh Low Countries with a numerous army, and threatened to make an entire conqueſt of thoſe rich and extenſive provinces. Louis, however, did not chooſe to riſque a rupture with this potent confederacy; and for a ſhort time England, in conſequence of this ſpirited conduct, appeared in her proper ſtation as the great bulwark of the common liberties of Europe. Some faint attempts were alſo now made by Buckingham, the new Miniſter, to procure a relaxation of the terms of conformity; but the temper of the Commons appeared totally adverſe to every idea of that nature. They even inflicted additional penalties upon non-conformiſts; and by a remarkable clauſe in the Act paſſed againſt Conventicles, the malignant ſpirit by which they were actuated is ſtrikingly manifeſted. If any diſpute ſhould ariſe with reſpect to the conſtruction of the Act, the Judges are directed, contrary to the univerſal practice of the Engliſh courts of judicature in the interpretation of penal ſtatutes,

to

to explain the doubt in the ſenſe leaſt favorable to the delinquent. Such was indeed the violence with which the Legiſlature now proceeded, that, had not the political circumſtances of the times undergone an unexpected revolution, another Marian perſecution was juſtly to be apprehended.

1669. Cabal Adminiſtration.

Towards the end of the year 1669, the principal executive offices of Government were filled by Clifford, Arlington, Buckingham, Aſhley Cooper afterwards Earl of Shafteſbury, and Lauderdale, who compoſed that Adminiſtration ſo well known by the appellation of the CABAL—the majority of whom were, in the general opinion, men, who, to borrow the language of Lord Clarendon, "had heads to contrive, hearts to approve, and hands to execute any miſchief." And it may with ſtrict juſtice be affirmed, that the King, in concert with a ſecret, dark, and dangerous faction, was engaged in a conſpiracy againſt the religion, laws, and liberties of his Kingdom. The diſſimulation and perfidy of Charles are ſuch as to make it extremely queſtionable, whether he ever really entered into the views with which the Triple Alliance was formed. However that may be, it is certain, that within two years after that event his political conduct was totally changed; and in an interview which took place in the ſpring of the year 1670 with his ſiſter Henrietta, Ducheſs of Orleans, a ſecret treaty was negotiated with the French King for the purpoſes of ſubverting the Republic of Holland, of making the authority of Charles abſolute, and of eſtabliſhing once more the Romiſh religion in the realms of Britain: as a prelude to which, Charles was formally abſolved, and received into the boſom of the Catholic Church *.

1670.

King becomes a Catholic.

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* The three great objects of the alliance between Louis and Charles were as ſtated in the narrative. But Clifford and Arlington only, who were themſelves Papiſts, were privy to the whole project. The ſecret was in part kept from Buckingham, Aſhley and Lauderdale, who were amuſed with a fictitious Treaty, containing all the articles, except thoſe relating to Religion, of the former real Treaty negotiated and ſigned unknown to them by Lord Arundel of Wardour. "But," as Mr. Hume obſerves, "if Popery was ſo much the object of the national horror, that even the King's own Miniſters either would not or durſt not receive it, what hopes could he entertain of forcing the Nation into it?" The King was ſo zealous a Papiſt, that he wept for joy when he ſaw the proſpect of re-uniting his Kingdom to the Catholic Church. *Dalrymple's State Papers.*

In purſuance of this plan, the King had the unparalleled aſſurance to convene the Parliament in the following winter, and to procure ſupplies from them to a very large amount, under pretence of the danger to be apprehended from the increaſing power of France, and of the obligation and neceſſity of ſupporting the Triple Alliance. When money was thus obtained, the maſk was thrown off, and military preparations were openly made. But, in order to ſecure an additional ſupply, as nothing farther could be expected from Parliament, an infamous reſolution, by the advice of Clifford, was taken, previous to a declaration of war, to ſhut up the Royal Exchequer; by which means, the vaſt ſums advanced by the bankers upon the credit of the funds provided by Parliament were forcibly ſequeſtrated. The diſtreſs, conſternation and ruin conſequent on this enormous violation of public faith did not prevent the Court from taking another ſtep, if poſſible, ſtill more alarming, and fraught with ſtill more extenſive conſequences. This was the famous Declaration of Indulgence, by which the King took upon him, by virtue of his prerogative, to ſuſpend all the penal laws at once. The Lord Keeper Sir Orlando Bridgeman, who had put the ſeal to the Declaration of Indulgence, was ſoon after permitted to retire upon account of his advanced age and infirmities, and Shafteſbury advanced to the dignity of Chancellor.

Projects of the Cabal.

Second Dutch war.

The deſign of introducing Popery was now apparent to every one; and the actual declaration of war againſt the Dutch, which quickly followed,

King James, in his Memoirs under the year 1668, ſays, "About this time the Duke of York diſcourſed with the King if he continued in the ſame mind as to his religion, who aſſured him he did, and deſired nothing more than to be reconciled." And in the following year we find the account thus confirmed: "The Duke ſpeaks of Religion to the King, and finds him reſolved to be a Catholic. The King appoints a private meeting with Lord Arundel, Lord Arlington, and Sir Thomas Clifford, in the Duke's cloſet, to adviſe on the methods to advance the Catholic religion in his Kingdoms. They met on the 25th of January. The King declared his mind in matters of Religion with great zeal to the Duke and other three perſons at this private meeting. The reſult of the conſultation was, that the work ſhould be done in conjunction with France. The Lord Arundel was accordingly ſent to treat with the French King, and the Treaty was concluded in the beginning of the year 1670."

Macpherſon's Papers, vol. ii. p. 50.

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raiſed the indignation and apprehenſions of the Nation to the higheſt pitch. The ſucceſsful campaign of 1672, in which the United States were reduced to the brink of ruin by the arms of Louis XIV, encouraged the King, after an interval of near two years, to aſſemble the Parliament; and the ſeſſion was opened by a ſpeech from the Throne expreſſed in a very high tone of authority. He ſpake of the war as not only juſt, but neceſſary; and as what he was fully determined to proſecute. And he informed the Houſe, that he had iſſued a Declaration of Indulgence, from which he had experienced very happy effects, to which he ſhould therefore adhere, and the validity of which he would not ſuffer to be queſtioned or oppoſed. Notwithſtanding the courtly diſpoſition of which this Houſe of Commons had given ſo many proofs, and their former baſe and criminal compliances, it muſt be acknowledged, that upon this great occaſion, which involved in it the moſt eſſential intereſts of the whole community, they acted in a manner worthy of the repreſentatives of a free and ſpirited people. They firſt paſſed a reſolution of ſupply: but before they proceeded to ſubſtantiate the vote, they framed a remonſtrance againſt the Declaration of Indulgence; to which the King replied in reſolute terms. The Commons repeated their application, or rather demand, in a firm and deciſive tone; and when matters were thus brought to a criſis, Charles, who found himſelf on the edge of a precipice, and whoſe genius was not calculated for great and continued exertion, thought proper on a ſudden to retreat. After aſking, to ſave appearances, the opinion of the Houſe of Peers, which of courſe coincided with that of the Commons, he ſent for the Declaration, and with his own hand broke the ſeal; acknowledging to the whole world by this act, that his want of courage bore a very exact proportion to his want of wiſdom and want of honeſty.

1672.

Second Declaration of Indulgence.

Shafteſbury, whoſe ultimate aims differed widely, as there is reaſon to believe, from thoſe of the reſt of the Cabal, had, on the firſt diſcuſſion of this ſubject in the Houſe of Peers, given a very decided opinion, in oppoſition to the Lord Treaſurer Clifford, for the recall of the Declaration; without any previous notice of his intention, and to the amazement of the Court,

Shafteſbury joins the Oppoſition.

enlarging in a very eloquent ſpeech upon the impropriety and danger of reſiſting the ſenſe of the Legiſlature upon a point of this nature, however laudable in itſelf, or however it might be ſanctioned by the ſentiments of private individuals or the precedents of former reigns; the ſuſpending power being ſtill an acknowledged, though irregular, branch of the prerogative. Such were the tranſcendent abilities of this nobleman, and ſuch alſo the ideas entertained of his genuine ſentiments and political rectitude of ſyſtem, notwithſtanding his late external compliances, that he was received by the leaders of the Oppoſition with open arms, and from that period became the AHITOPHEL of all their counſels*.

The Houſe of Commons purſued the victory they had gained with great moderation: they even appeared deſirous to avoid urging the King to deſperate extremities. No mention was made of the violation of the Triple Alliance, or of the ſhutting up the Exchequer. An Act of Indemnity was paſſed, with a view chiefly to ſcreen the Miniſters of the Crown from any further enquiry, and the Reſolution of Supply, to the great diſappointment of the Dutch, paſſed into a law; in return for which, the King gave the royal aſſent to the famous TEST ACT, which required every man holding a public office to receive the ſacrament according to the uſage of the Eſtabliſhed Church, and to abjure the doctrine of Tranſubſtantiation. This was a vigorous and well-aimed ſtroke, and, as the Duke of York, who reſigned his commiſſion of High Admiral, with tears declared, the moſt fatal blow that the Roman Catholic intereſt could have received. Soon after the Treaſurer's Staff was taken from Clifford (who had become extremely obnoxious by the intemperate zeal with which he had ſupported the Declaration of Indulgence, and who was now incapacitated by the Teſt), and given to Sir Thomas Oſborne, created Earl of Danby; a man not of ſplendid talents, but cautious and prudent, and who in the preſent ſituation of affairs ſeemed not ill-qualified to fill that important ſtation.

Teſt Act paſſed.

* Vide Note at the end of the Introduction.

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In the month of October 1673, the Parliament was again convened, but a more refractory ſpirit began now to appear. The Commons were highly offended with the treaty of marriage then in agitation between the Duke of York and a Princeſs of the houſe of Modena, and remonſtrated warmly againſt it. They voted the alliance with France to be a grievance, and came to a reſolution that they would grant no farther ſupply, unleſs the Dutch obſtinately refuſed to treat of peace. Upon which the King, who had relinquiſhed thoſe magnificent projects which he had ſo lately entertained, thought proper to conclude a ſeparate peace with Holland, through the mediation of the Spaniſh Court, in the beginning of the year 1674. Great rejoicings were made on account of this peace; and it was hoped that the King, convinced of his paſt errors, would endeavour to retrieve the eſteem and affection of his ſubjects by his future conduct. To confirm theſe favorable impreſſions, Sir William Temple, who negotiated the Triple Alliance, and who ſtood higher than any man in the confidence of the States, was again appointed Ambaſſador at the Hague: the mediation of the King was ſolemnly offered in order to effect a general peace, and Nimeguen fixed on as the place of congreſs. As the continuance of the war could no longer anſwer any political purpoſe, the King may reaſonably be ſuppoſed ſincere, if not zealous, in his endeavors to reſtore the tranquillity of Europe. Louis, alſo, whoſe ſchemes of ambition by the defection of England were totally fruſtrated, and who now found himſelf engaged alone againſt a formidable confederacy, though his armies ſtill maintained a ſuperiority in the field, was not averſe to a treaty. But the Prince of Orange, ſtrengthened by the alliance of the Imperial and Spaniſh Courts, and hoping for the acceſſion of England, was ſecretly diſinclined to liſten to overtures of reconciliation, and aſpired to the glory of humbling the pride of that haughty Monarch, whom he regarded with deteſtation, not merely as the unprovoked invader of his native country, but as the common enemy and diſturber of Europe. The French army, however, under the conduct of thoſe conſummate Generals Condé, Turenne and Luxembourg, ſtill continued to make a rapid progreſs: and the Parliament, finding the mediation of Charles not attended with ſucceſs, in the ſeſſion held February 1677, after a long interval, during which it appears

1673.

Spirited conduct of the Commons.

1674.
Peace with Holland.

1677.

appears that large ſums were remitted from France, voted an addreſs to the King to enter into a league offenſive and defenſive with the States General. The King affected to reſent this interference, as an encroachment upon his prerogative, and, in anger, immediately adjourned the Parliament. The fact was, that he had actually ſold his neutrality to France; and that he had regularly received a penſion from that Court to the amount of two millions of livres, as the price of his honor and conſcience.

Inſidious policy of the Court.

Throughout his whole reign, however, it was contrary to the maxims of policy by which Charles was governed, to riſque a ſerious or violent rupture with the Parliament; and he was convinced that ſome popular meaſure was abſolutely requiſite in preſent circumſtances, to palliate his conduct, and in ſome degree to redeem his reputation; and no meaſure could more effectually anſwer thoſe purpoſes, than the marriage of the Princeſs Mary, eldeſt daughter to the Duke of York, to the Prince of Orange; who, by this alliance, might be led to entertain no very diſtant proſpect of ſucceeding to the Engliſh Crown. When this intention was made public, the higheſt degree of ſatisfaction was expreſſed by all parties: and the Prince arriving in England at the end of the campaign, the marriage-ceremony was performed, to the great ſurpriſe and chagrin of the French Monarch; who received the intelligence, to uſe the expreſſion of Montague the Engliſh Ambaſſador, "as he would have done that of the loſs of an army." The good conſequences expected from this union did not, however, immediately appear. The King, indeed, pretended to enter into an amicable conſultation with the Prince reſpecting the terms of the treaty of peace; which were at laſt ſettled in ſuch a manner as to give ſatisfaction to the Allies. And Charles proteſted, that if the plan then concerted was rejected by Louis, he would immediately join the confederacy. After the Prince's departure, however, he reſumed his clandeſtine negotiations with France, and made great conceſſions and abatements in the terms originally projected; for which he received pecuniary compenſations from Louis. And though Charles, finding that he incurred the indignation and contempt of all parties by the baſe duplicity of his conduct, ſeemed at length reſolved in earneſt to adopt vigorous and deciſive meaſures,

meaſures, the Parliament appeared no longer diſpoſed to confide in his profeſſions; and the Allies, deſpairing of effectual ſupport from England, ſigned a peace with France, at Nimeguen, in Auguſt 1678. 1678.

Secret intrigues of the Patriots.

It appears from late diſcoveries, that the patriotic party in the Houſe of Commons, led by Sydney, Ruſſel, &c. were ſecretly averſe to engage the Nation in a war with France, notwithſtanding the apparent incongruity of their public conduct: and in this they concurred with a great majority of the wiſeſt and moſt dipaſſionate members of the United States, though not with the ſentiments of the Stadtholder; by whoſe authority and influence alone the war, without any adequate political neceſſity, had been ſo long continued. The leaders of the Oppoſition in Parliament well knew, that no real danger was now to be apprehended from France. The King had it in his power to dictate the terms of the treaty of peace; and they with good reaſon entertained the ſtrongeſt jealouſies and ſuſpicions, that the immenſe ſums which muſt be voted, and the vaſt armaments which muſt be raiſed, in order to carry on a war againſt France, might eventually be directed againſt the religion and liberties of this kingdom. They were fully acquainted with the deep and dangerous deſigns which the King had formerly harbored againſt his ſubjects, and which want of power, and not want of inclination, had at length compelled him to abandon. The Court of France, for very different but very obvious reaſons, was equally ſolicitous to prevent the King from joining the confederacy; in conſequence of which accidental union of intereſts, intrigues were carried on between the French Ambaſſador and the members of Oppoſition; and great ſums of French gold were diſtributed, with the approbation of even ſuch men as Ruſſel, Sydney, and Hollis, in order to accompliſh a great political purpoſe, which unhappily was not to be effected by more open and honorable means. Men of virtue and integrity, who hold the noiſeleſs tenor of their way through the cool ſequeſtered vale of private life, are apt to feel a much greater degree of indignation at theſe irregular practices than the nature of the facts will juſtify. "Fiat juſtitia, ruat cœlum!" is with ſuch men a fundamental maxim of political morality. They conſider not, that virtue is itſelf founded upon utility,

utility, and *that the* END *is not to be ultimately ſacrificed to the* MEANS. And when the public ſafety is the end in view, an object of ſuch tranſcendent importance will certainly juſtify the uſe of ſuch means as are indiſpenſably neceſſary to its attainment. However liable to abuſe, and however vilely it may have been abuſed, the principle is in its own nature incontrovertible. Had the Nation fallen again under the yoke of popery and arbitrary power, in conſequence of thoſe refinements of delicacy, or ſcruples of conſcience, by which, now the danger is paſt, many are ready to affirm that the patriots of the laſt century ought to have been actuated; Ruſſel and Sydney, Lyttelton and Hollis, might have a juſt claim to regard and eſteem, as honeſt and well-meaning men: but poſterity would have had little reaſon to applaud their ſagacity as ſtateſmen, or to venerate their memory as enlightened patriots.

State of the Nation.

ENGLAND, after the concluſion of the peace of Nimeguen, remained in a ſtate of extreme diſſatisfaction and uneaſineſs. The honor as well as the intereſt of the Nation was thought to be ſacrificed. It was evident that France had obtained much more advantageous terms than ſhe was entitled to expect. The King was univerſally acknowledged to be the arbiter of the peace; and he had juſtly incurred the imputation of having been bribed to betray the intereſts of the confederates. Of Charles's predilection for Popery, alſo, doubts could no longer be entertained: and though the King's natural good ſenſe, as well as his want of political firmneſs, had prevented him, and would probably continue to prevent him, from urging matters to any deſperate extremity himſelf; the attention of people began now to be fixed on his immediate ſucceſſor, whoſe bigoted attachment to the Romiſh religion became every day more apparent, whoſe temper was known to be extremely violent, whoſe capacity was proportionably narrow, and whoſe obſtinacy was ſyſtematic and invincible. At this critical juncture an incident happened, in itſelf important, but much more ſo in its conſequences, attended by very extraordinary circumſtances, ſome of them of a very dark and myſterious nature, and which time has not enabled the moſt ſagacious hiſtorians completely to elucidate. In the month of Auguſt 1678, the King, walking

Popiſh Plot.

walking, as his cuſtom was, in the Mall, was addreſſed by a ſtranger, who informed him that a plot was concerted againſt his life. Upon being referred to Lord Danby for examination, he introduced to that Miniſter various other perſons, amongſt whom was the famous Titus Oates, who all agreed in the reality of a plot, not only to murder the King but to extirpate the Proteſtant religion: after which they pretended the crown was to be offered to the Duke of York, who was to receive it as a gift from the Pope. To this evidence was appended a prodigious variety of incoherent and incredible circumſtances. When the witneſſes were farther examined before the Privy Council, ſeveral perſons of very high rank were accuſed; and Coleman, Secretary to the Duke of York, was expreſsly affirmed to be in the whole ſecret of the conſpiracy. When the papers of Coleman however were ſeized, nothing more appeared than a fiery and intemperate zeal for the reſtoration of the Catholic religion, and the extirpation of hereſy, and ſome ſanguine expreſſions of hope that a favorable opportunity would ſhortly preſent itſelf for the accompliſhment of theſe glorious purpoſes. This certainly was far from amounting to the diſcovery of a plot—and men were at a loſs what to think of the teſtimony of theſe informers, who were perſons of extreme profligacy of character, when the murder of Sir Edmundbury Godfrey, a popular magiſtrate by whom the depoſitions had been taken, threw the whole Nation into a paroxyſm of rage and conſternation. He was found at a conſiderable diſtance from his own habitation with evident marks of violence about his perſon, and his own ſword thruſt through his body. It was immediately concluded, that he was aſſaſſinated by the Papiſts, and the reality of the plot was no longer doubted. During the height of this political ferment, the Parliament aſſembled, and almoſt inſtantly paſſed a vote, "That a damnable and helliſh Popiſh plot was actually carrying on for aſſaſſinating the King, ſubverting the Government, and rooting out the Proteſtant religion:" and the Lords Powis, Arundel, Stafford, Petre, and Bellaſis were, upon the evidence of Oates, &c. committed to the Tower, and ſoon afterwards impeached for high treaſon.

Impeachment of the Lord Treaſurer Danby.

Whilſt the Houſe of Commons was deeply engaged in the proſecution of this buſineſs, of which Lord Danby himſelf, contrary to the King's inclination, had promoted a parliamentary inveſtigation, a diſcovery was made which put a ſudden termination to the credit and authority of that nobleman. During the pendency of the negotiations in the year 1677, the Lord Treaſurer was privy to, and in ſome meaſure concerned in, the ſcandalous conceſſions made by the King to the prejudice of the Allies, and the conſequent equivalents in money received from the French Court. It is true, that nobleman always expreſſed his diſlike of theſe proceedings, which were chiefly carried on by the intervention of Montague the Engliſh Ambaſſador, a man of addreſs, whoſe principles were never found at variance with his intereſt. This man aſpired to the office of Secretary of State, which Sir William Coventry was willing to reſign in his favor for the ſum of ten thouſand pounds. Montague applied in very humble and adulatory terms to the Lord Treaſurer, to prevail upon the King to ratify this corrupt pecuniary bargain. But finding that Sir William Temple, by the recommendation of Lord Danby, was nominated to that office, he left Paris with great precipitation, and, to the confuſion and aſtoniſhment of the Miniſter, exhibited a charge of corruption againſt him in the Houſe of Commons, although he had himſelf been far more deeply concerned in thoſe very tranſactions upon which the accuſation was grounded. The Houſe of Commons, inflamed with this intelligence, immediately voted an impeachment for high treaſon againſt the Treaſurer. The Peers however refuſed to commit Danby upon a charge of treaſon ſo weakly founded. The Commons perſiſted in their demand; and, great conteſts being likely to ariſe upon this point, the King, who plainly perceived that this Houſe of Commons, formerly ſo ſubmiſſive and loyal, was no longer to be either cajoled or overawed, thought proper firſt to prorogue, and ſoon after to diſſolve, the Parliament, which had now ſat almoſt eighteen years.

1679. New Parliament.

The new Parliament, which met in March following, 1679, ſoon diſplayed a ſpirit of jealouſy and oppoſition to the Court, at leaſt equal to their predeceſſors. The impeachment of Danby was revived; but the

King

King had previouſly granted him a pardon under the Great Seal, which he affixed to it with his own hands. But the Commons affirmed, that no pardon could be pleaded in bar of impeachment: and Danby, who had abſconded, but who choſe to make his appearance rather than to incur the penalties of a bill of attainder, was immediately committed to the Tower. The Houſe proceeded with equal violence in the proſecution of the pretended Popiſh plot, the exiſtence of which ſtill depended upon the teſtimony of the infamous Oates and his ſtill more infamous accomplices. The vote of the former Parliament was renewed; and Colonel Sackville was expelled the Houſe, for preſuming ſomewhat indiſcreetly to call in queſtion its reality. Even the courts of Juſtice upon this occaſion became the mere inſtruments of parliamentary and popular vengeance; nor did the Nation awaken from its delirium till the ſcaffold had ſtreamed with the blood of various perſons of high diſtinction, and great numbers of inferior rank, both clergy and laity, had fallen a ſacrifice to this egregious impoſture; the paſſions of amazement and horror making that evidence appear credible, which would at any other time have been rejected as an inſult to common ſenſe.

Bill of Excluſion.

But though it muſt be acknowledged that nothing was diſcovered, after the moſt indefatigable inveſtigation of this affair, which could poſſibly be conſtrued into a plot or conſpiracy, by any mind not diſtempered with the rage of faction; yet the Parliament as well as the Nation had ſufficient grounds to apprehend, that in the event of the King's deceaſe the moſt vigorous attempts would be uſed by his ſucceſſor to re-eſtabliſh the Romiſh religion in theſe realms, with its natural, and in this caſe its inſeparable concomitant, arbitrary power. It was therefore with the higheſt degree of public approbation that the Houſe of Commons came to an unanimous vote, "That the Duke of York's being a Papiſt, and the hopes of his ſucceeding to the Crown, had given the higheſt countenance to the preſent deſigns of the Papiſts againſt the King and the Proteſtant religion." This was regarded, and it was unqueſtionably intended, as the prelude to a bill for excluding him from the throne.

Charles, who held his brother's underſtanding in juſt contempt, and who had little affection to his perſon, was however fully determined, and he adhered to his determination with a degree of firmneſs of which he was thought wholly incapable, never to give his aſſent to a meaſure which appeared to him in the higheſt degree violent and unjuſt. Previous to the introduction of this famous bill, therefore, he propoſed to the Parliament, in a very gracious and conciliatory ſpeech, a plan of limitations which would have effectually ſecured the religion and liberties of the Nation; and at the ſame time declared, that if any thing farther could be deviſed by the wiſdom of Parliament, as an additional ſatisfaction, without defeating the right of ſucceſſion, he was ready to conſent to it. Upon the ground of that fundamental maxim of true policy, which directs us to aim not at that which is beſt in itſelf, but at the beſt of thoſe alternatives which are practicable, limitation and not excluſion ought to have been the object of Parliament; though it muſt be confeſſed that the King had given ſo many proofs of the flexibility of his temper in the courſe of his reign, and of his extreme reluctance to riſque a total rupture with Parliament, that there was great reaſon to believe he might ultimately be induced to concur in the rigorous and popular plan of excluſion.

Poſſeſſed with theſe ideas, the Houſe of Commons rejected with diſdain the compromiſe offered by the King, and without any delay paſſed the Bill of Excluſion by a large majority of votes; though by a clauſe of it the Duke was declared guilty of high treaſon, if after the deceaſe of the King he appeared within the limits of the Britiſh dominions. In the vain hope of mollifying the untoward diſpoſition of the Commons, the King at this period paſſed the memorable Habeas Corpus Act; though the Duke of York affirmed to him, that with ſuch a law in being no Government could ſubſiſt. Finding however that no impreſſion was to be made by any act of grace or condeſcenſion, he took a ſudden reſolution to diſſolve the Parliament; and writs were at the ſame time iſſued for a new Parliament, which nevertheleſs did not meet till the ſucceeding ſummer. In the interim Shafteſbury, now the Oracle of the Oppoſition, attended by

Habeas Corpus Act paſſed.

Ruſſel, Cavendiſh, Grey, and many other perſons of the firſt diſtinction, publicly appeared in Weſtminſter Hall, and preſented the Duke of York to the Grand Jury of Middleſex as a popiſh recuſant. This unprecedented act of audacity was intended by the popular party to convince the Court, as well as the world, that they were firmly reſolved never to liſten to any terms of accommodation with the Duke, and that his excluſion from the throne was a point which at all hazards they were determined to inſiſt upon.

Duke of York preſented as a popiſh recuſant.

At length, in October 1680, the Parliament was convened; and the ſeſſion was opened with a very judicious, animated, and even affectionate ſpeech from the throne. At this period, if at any time, Charles was ſincerely deſirous of living upon terms of mutual confidence and harmony with his ſubjects: his own excellent underſtanding could not but ſuggeſt to him, that the numerous difficulties and embarraſſments in which he had been involved, had ariſen almoſt entirely from his own miſconduct. His love of eaſe, and the advanced age to which he had now attained, were ſtrong inducements to him to avoid thoſe meaſures which had a tendency to inflame the Parliament or to diſguſt the Nation: and ſince the alliance with the Prince of Orange he was leſs inclined to a cloſe connection with Louis, whoſe conduct for a certain period immediately preceding the Peace of Nimeguen he had deemed, after all the obloquy he had incurred upon his account, highly ungrateful and injurious, and of which he ſtill retained a deep reſentment. In this ſpeech, truly worthy of a Britiſh Monarch, he again informed the Parliament, that he was willing to concur in any expedient for the ſecurity of the Proteſtant religion, provided the ſucceſſion were preſerved in the due and legal courſe. After ſtating his pecuniary wants, for which he truſted Parliament would provide, he added,—"But that which I value above all the treaſure in the world, is a perfect union among ourſelves. All Europe have their eyes upon this aſſembly: if any unſeaſonable diſputes do happen, the world will ſee that it is no fault of mine. I have done all that it was poſſible for me to do, to keep you in peace, while I live, and to leave you ſo when I die. But from ſo great prudence and good affection as yours I can

1680. New Parliament.

can fear nothing of the kind, but do rely upon you all, that you will do your beſt endeavors to bring this Parliament to a good and happy concluſion."

Bill of Excluſion revived.

The mildneſs and moderation of the King were not however attended by any ſenſible or ſalutary effects. In a few days the Bill of Excluſion was again introduced, paſſed by a great majority, and carried up to the Lords; who, influenced chiefly by the eloquence of the Marquis of Haliſax, after vehement debates, at length determined to reject it. The Commons immediately voted an addreſs for the removal of that nobleman from his Majeſty's councils and preſence for ever. And this addreſs was ſoon after followed by another in the higheſt degree inflammatory; in which all the abuſes of Government which had been the ſubject of complaint almoſt from the beginning of the King's reign were inſiſted upon; and "the damnable and helliſh Popiſh plot" is openly aſcribed to that party under whoſe influence all the meaſures of Government originated. They likewiſe voted, "that whoever adviſed his Majeſty to refuſe the Excluſion Bill were enemies to the King and kingdom, and that, till this Bill were paſſed, they could not, conſiſtently with the truſt repoſed in them, grant the King any manner of ſupply."

1681.

Oxford Parliament.

No farther hopes remaining of bringing the Commons to any better temper, the King diſſolved the Parliament in January 1681. But, deſirous of making one more effort to effect a reconciliation with his people, he ſummoned another Parliament to meet at Oxford in March. In his ſpeech at the opening of it, he told them in a tone of ſerioufneſs and dignity, that, "though he had reaſon to complain of the unwarrantable proceedings of the former Houſe of Commons, no paſt irregularities could inſpire him with a prejudice againſt thoſe aſſemblies. He now afforded them yet another opportunity of providing for the public ſafety; and to all the world he had given one evidence more, that on his part he had not neglected the duty incumbent on him." Such however was the infatuation of the Houſe of Commons, that though the Miniſters of the Crown propoſed, by command of the King, that the Duke ſhould be baniſhed during life five hundred miles from England; and that, on the King's demiſe,

miſe, the next heir ſhould be appointed Regent with kingly power, they deemed no expedient but the abſolute excluſion of the Duke worthy of attention. The patience and moderation of the King, which had ſtood a very ſevere trial, now ſeemed at laſt to forſake him; and, before the Commons had time to paſs a ſingle bill, he ſuddenly and unexpectedly diſſolved the Parliament, with a full reſolution not to ſummon another till the ſpirit and temper of the times had undergone an eſſential alteration.

Triumph of the Court.

The popular party were ſtruck with conſternation at this vigorous procedure; and the Nation, diſguſted with the obſtinacy of their repreſentatives, and pleaſed with the great conceſſions made by the King, joined in applauding the firmneſs and ſpirit with which he acted on this occaſion. The deſperate meaſures afterwards reſorted to by the patriots, the fatal cataſtrophe which enſued, and the tragical end of Sydney, Ruſſel, Eſſex, and others of the party, too plainly evinced the imprudence and indiſcretion of their preceding conduct; which indeed affords a memorable leſſon to poſterity, how ſolicitous men ought to be, who have great and laudable ends in view, to adopt rational and practicable methods of effecting them.

1785. Death of the King.

The deſpotiſm exerciſed by Charles from this period was ſcarcely inferior to that of Henry VIII. though it is certain, that, preſſed by pecuniary difficulties, and living in the continual dread of another revolution, his gaiety of ſpirit forſook him, and he became ſilent, abſent and melancholy. It is generally believed, and with good reaſon, that he was meditating a change of meaſures; and that he had it in contemplation very ſhortly to ſummon another Parliament, from which very happy conſequences would probably have reſulted, when he was ſuddenly ſeized with a fit of apoplexy, and died February 6th, 1685, in the 55th year of his age and 25th of his reign. Some remarkable circumſtances attending his death occaſioned a ſuſpicion of poiſon; but there does not appear ſufficient evidence for an accuſation of this atrocious nature. The whole tenor of his actions and policy prove that this Monarch, whoſe ſuperiority of underſtanding and quickneſs of penetration were no leſs conſpicuous than his total want of virtue and of principle, might with more propriety than

almoſt

almoſt any man, declare that he always diſcerned the things that were right, though he uniformly adopted thoſe which were wrong *.

Acceſſion of K. James II.

It is extremely remarkable, and it may perhaps by ſome be conſidered as a characteriſtic *trait* of that caprice ſo frequently aſcribed to the Engliſh Nation, that, notwithſtanding the vehement and furious efforts which had been ſo recently made to effect the abſolute excluſion of the Duke of York from the throne, his acceſſion to the crown was not attended with any public marks of diſguſt or diſſatisfaction. The ſtorm had ſpent its rage, and was ſucceeded by a dead and ſettled calm. This muſt not, however, be attributed to any radical change in the public opinion reſpecting the eligibility of this excluſion in itſelf conſidered, but to a general dread of the alarming conſequences which muſt have reſulted from perſiſting in the proſecution of a project, in which it was apparent that the King would never be induced to acquieſce. And though the ſudden death of Charles prevented that monarch from executing his intention of convening a Parliament, in which ſuch reſtrictions would doubtleſs have been impoſed upon the ſucceſſor as the political ſituation of the kingdom would have been thought, on a cool and impartial reconſideration of the ſubject, to require; yet it was hoped that the underſtanding and experience of the new King would ſuggeſt to him the propriety, or rather the neceſſity, of regulating his conduct in ſuch a manner as to convince the people that their religion and liberties were not endangered under his government. And reflecting men, who always reſort with reluctance to violent and deſperate remedies, clearly ſaw that no ſerious attempt could be made upon either, but with the moſt imminent hazard to the King's authority, not to ſay his ſafety. James II. was now far advanced in life; the ſeaſon of raſhneſs and temerity, it might be reaſonably preſumed, was paſt; and he would deem himſelf, as people fondly imagined, happy by a mild and popular adminiſtration to ſecure the quiet and peaceable enjoyment of a crown which had once been ſo nearly wreſted from him: and after a reign, probably, of no very long

* Video meliora proboque,
Deteriora ſequor.

duration

duration a bright and glorious proſpect again opened to their view in the acceſſion of the Prince and Princeſs of Orange. The event, however, proved how deluſive were theſe hopes; and how juſtly founded the apprehenſions of thoſe who were but too well appriſed of the bigotry, the enthuſiaſm, the blind and deplorable obſtinacy of this infatuated monarch.

The firſt act of James's reign, however, ſeemed not ill-calculated to confirm the prepoſſeſſion which the public were but too ready to encourage in his favor. In his declaration to the Privy Council, which aſſembled immediately on the death of the late King, he profeſſed his reſolution to maintain the eſtabliſhed government both in Church and State; and he affirmed, that, though he had been reported to have imbibed arbitrary principles, he knew the laws of England were ſufficient to make him as great a monarch as he could wiſh, and he was determined never to depart from them. Numerous addreſſes from all parts of the kingdom were preſented to the new Monarch, couched for the moſt part in terms of the groſſeſt adulation; which no doubt greatly contributed to lull him into that fatal ſecurity which was the cauſe and the fore-runner of his ruin. Though the royal declaration was highly extolled by the partiſans of the Court, and indeed by the generality of the people, who pleaſed themſelves with boaſting "that they had now the word of a King to rely upon;" yet they had very early proof how weak and fallacious was this ground of dependence. For, in open defiance of the law agreeably to which the greater part of the duties of cuſtom and exciſe granted to the King expired at his demiſe, James iſſued a proclamation within a few days ſubſequent to this declaration, commanding thoſe duties to be paid as before. And the ſecond Sunday after his acceſſion he went openly, with all the *inſignia* of royalty, to maſs; to the indignation of moſt men, and the amazement of all.

Arbitrary meaſures of the Court.

One Caryl alſo was diſpatched to Rome in the capacity of agent, in order to make ſubmiſſions to the Pope in the King's name, and to pave the way for the re-admiſſion of England into the boſom of the Catholic

Embaſſy to Rome.

Church. But theſe expreſſions of duty and obedience to the Holy See were not received with much eagerneſs or ſatisfaction. This, however, will not excite our wonder, when we recollect the general ſtate of politics in Europe at this period. The grandeur of Louis XIV. had now attained its higheſt point of elevation. Since the concluſion of the treaty of Nimeguen, the pride and inſolence of that monarch knew no bounds; and the nations of Europe were concerting meaſures to reduce the exorbitant power of France within its proper limits. The acceſſion of England to this confederacy was the object of general and eager deſire: and as James was believed to be actuated by an higher ſenſe of national honor and intereſt than the late King, and by that jealouſy of the power of France which was naturally to be expected from a king of England; nothing could be more unſeaſonable, or more oppoſite to the political views of the principal Courts of Europe at this juncture, than a ſerious intention in James to re-eſtabliſh the Catholic religion in his dominions; which would inevitably be the means of involving him in domeſtic contentions of the moſt alarming kind; and which would not only effectually preclude every idea of his becoming a party in the grand confederacy now actually forming, but ultimately reduce him, perhaps, to the neceſſity of throwing himſelf into the arms of France, by whoſe aſſiſtance alone theſe dangerous projects could ever be carried into execution. The reigning Pontiff Innocent XI. was, in conſequence of a recent quarrel, inflamed with animoſity againſt Louis, and devotedly attached to the intereſts of the houſe of Auſtria. And being, moreover, a man of ſenſe and temper, he plainly perceived that the King was not only purſuing meaſures manifeſtly incompatible with the political ſentiments which he affected to embrace, but which would probably terminate in the ruin of himſelf and of the religion to which he was ſo paſſionately devoted. He counſelled him, therefore, to regulate his zeal by the rules of prudence and diſcretion, and to endeavor, by mildneſs and moderation, inſenſibly to effect what force and violence would attempt in vain. Ronquillo, the Spaniſh Ambaſſador in England, alſo inculcated the ſame leſſons of wiſdom; which were entirely diſregarded by James, who was under the abſolute government of the prieſts by whom he was ſurrounded, and who were continually

continually urging the neceſſity of adopting vigorous and deciſive meaſures, in order to accompliſh the great work of national converſion during the lifetime of the King, as their labors would otherwiſe be rendered wholly ineffectual. The general diſpoſition of the people, which was at this time patiently, or rather ſtupidly, paſſive, encouraged the King to venture upon meaſures, which his long experience of the Engliſh Nation, if he had been a man capable of reflection, muſt have convinced him would ſooner or later arouſe that dormant but unconquerable ſpirit of reſiſtance to regal tyranny, which had for ſo many centuries diſtinguiſhed the inhabitants of this iſland.

1685. Meeting of Parliament.

In the month of May 1685 the Parliament was convened; and ſo low was the credit of the Whigs and Excluſioniſts now fallen, and ſuch the ſucceſs of the meaſures employed by the Court to influence or intimidate the electors throughout the kingdom, that the King declared, upon inſpecting the returns, that there were not above forty members choſen but ſuch as he himſelf wiſhed for. It is ſuperfluous to add, that the religion and liberties of the Nation were never expoſed to more imminent danger, than under the government of ſuch a King, and the guardian care of ſuch a Parliament. By not only ſettling upon James for life the revenue which determined at the deceaſe of the late Monarch, but by new grants, which raiſed the entire receipt of the Exchequer to the annual ſum of two millions, they virtually paſſed a law rendering Parliament in future wholly uſeleſs. For this revenue, with prudence and economy, was fully equal to the ordinary exigencies of Government; and James was now at liberty to proſecute his ſchemes free from the apprehenſion of parliamentary check or control. The Speaker of the Houſe of Commons, however, on preſenting the money bills, ventured to inform the King, "that on giving his Majeſty this ſignal proof of their loyalty and affection, they ſhewed how entirely they relied upon his Majeſty's royal word and repeated declarations to ſupport the Proteſtant religion as profeſſed by the Church of England, which was dearer to them than their lives."—A manifeſt and deciſive proof of that national abhorrence of Popery ariſing almoſt to phrenſy, which could influence this aſſembly,

Abject complaiſance of the Commons.

in other reſpects ſo obſequious and abject, to expreſs their feelings in language ſo bold and energetic. The King received this compliment in rude and ungracious ſilence. To compenſate for a freedom ſo unwelcome, a bill was introduced into the Houſe of Commons, by which any thing ſaid to diſparage the King's perſon and government was made treaſon. This dangerous bill was very ably and ſtrongly oppoſed by Serjeant Maynard, one of the few Whigs ſitting in this Parliament, who diſplayed in ſtriking colors the fatal conſequences which would reſult from any deviation from the famous ſtatute of Edward III. by which an overt act was made the neceſſary and indiſpenſable proof of treaſonable intentions. "If words alone could by any conſtruction of the law be converted into treaſon, he affirmed that no man's life, or liberty, or property, could be ſecure. Words were ſo liable to be miſ-underſtood and miſrepreſented, and, by a very ſmall variation, might be made to convey a ſenſe ſo contrary to what was intended, that a law like this, which ſeemed expreſsly calculated for an inſtrument of tyranny, would be a virtual ſurrender of all our privileges into the hands of the Sovereign." Theſe arguments could not but make ſome impreſſion upon the Houſe, callous as it ſeemed to the feelings of honor, and regardleſs of the national intereſt or ſafety; and great debates enſued, which were ſuddenly interrupted by the intelligence of the Duke of Monmouth's arrival in the Weſt, with an hoſtile armament from Holland. The Commons inſtantly voted an addreſs, aſſuring the King of their reſolution to adhere to him with their lives and fortunes; and after paſſing a bill of attainder againſt the Duke, and granting a ſupply of 400,000l. for the ſuppreſſion of this rebellion, they determined upon an adjournment.

Rebellion of the Duke of Monmouth.

Immediately on the King's acceſſion, the Prince of Orange, knowing the inveterate animoſity of James againſt the Duke, who had for ſome time paſt reſided at the Hague, thought it expedient to give him his diſmiſſion. The Duke retired to Bruſſels; but being purſued thither alſo by the unrelenting jealouſy of James, he adopted a ſudden and raſh reſolution to attempt an invaſion of England, at a ſeaſon in every reſpect unpropitious to ſuch an enterpriſe. At his firſt landing at Lyme, in Dorſetſhire,

ſetſhire, he counted ſcarcely a hundred followers; but ſo great was his popularity, that in a few weeks he aſſembled with eaſe an army of ſeveral thouſand men, and found himſelf in a condition to give battle to the King's forces, encamped under the command of the Earl of Feverſham at the village of Sedgemoor, near Bridgewater. Though his raw and undiſciplined troops diſplayed ſurpriſing valor and intrepidity in the attack, they were at laſt overpowered by the ſuperiority of numbers and of military ſkill. Monmouth himſelf was taken in the purſuit; and though he implored the King's mercy—that mercy which he could never hope to obtain—with an earneſtneſs and importunity by no means correſponding with the ſpirit and gallantry by which he had been formerly diſtinguiſhed, he ſuffered death on the ſcaffold with calm reſolution and conſtancy, profeſſing to conſider himſelf as a martyr for the people.

The fate of this amiable and accompliſhed nobleman cannot be contemplated without emotions of grief and compaſſion. Educated in the boſom of a corrupt and diſſipated Court, and poſſeſſed of every exterior and perſonal advantage, he had imbibed juſt and noble ſentiments reſpecting the nature and ends of government. His capacity, which was rather below than above the common level, did not qualify him for taking the lead in the oppoſition to the Court during the latter years of the reign of Charles II.; but he zealouſly concurred in all the meaſures adopted by the patriots at that period, and in the obſtinate and reiterated efforts to carry into effect the famous Bill of Excluſion: after which, as there is reaſon to believe, he flattered himſelf with the hope of obtaining an act of legitimation, which would pave his way to the crown. The King however conſtantly denied that any contract of marriage had taken place between Lucy Walters, mother of the Duke, and himſelf. And this marriage, the report of which gained great credit amongſt all ranks of people, and which was never contradicted by clear or demonſtrative evidence, ſtill remains involved in ſome obſcurity. The Duke was uncommonly handſome in his perſon, and engaging in his manners; and his diſpoſition was naturally open, affable and generous. He had acquired the affections of the people to a very high degree;

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and the King his father was perceived by the Duke of York and his adherents, not without the utmoſt chagrin, to be ſtill paſſionately fond of him, notwithſtanding all his political offences. Monmouth, in his public manifeſto, charged the King with the burning of the city of London, with the Popiſh plot, the murder of Godfrey, the death of the Earl of Eſſex, and even with the poiſoning of the late King. Theſe extravagances gave great offence to all moderate and reaſonable perſons; and the Duke was joined by very few above the loweſt rank and condition of life—the folly and temerity of this ill-concerted and ill-conducted attempt being too apparent.

Barbarities of Jeffries.

The barbarity, however, as well as the number of the executions which enſued on the ſuppreſſion of this rebellion, far exceeded any ſeverities of the kind recorded in Engliſh hiſtory. The ſavage and infamous Jeffries was expreſsly ſelected by the King himſelf, at the enſuing aſſiſes, as the judge beſt qualified to diſplay the terrors and inflict the vengeance of the law upon the devoted inhabitants of the weſtern counties. "After the defeat of Monmouth," ſays a late hiſtorian *, "juries were overborne, judgment was given with precipitation, and the laws themſelves were openly trampled upon by a murderer in the robes of a Lord Chief Juſtice." The King delighted to recount the exploits of what he affected to ſtyle "Jeffries's campaigns," in which many hundreds ſuffered under the hands of the common executioner, after the mockery of a trial, in which the innocent and the guilty were almoſt indiſcriminately involved in one common fate.

The Earl of Argyle, who had, through the machinations of the Duke of York, been convicted in the preceding reign of high treaſon, on the moſt frivolous, or, to ſpeak more properly, the moſt villanous pretences—and who, on making his eſcape from the Caſtle of Edinburgh, had ſince lived as an exile in Holland—attempted an invaſion of Scotland in con-

* Granger. Biog. Hiſt. Eng.

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cert with Monmouth, and appeared, unſupported by any adequate force, in the Weſtern Highlands, nearly at the ſame time that the Duke landed in a ſtate equally deſtitute on the ſouthern coaſt of England. This feeble attempt was ſuppreſſed with very little difficulty; and the Earl, being taken, was executed, without any trial, on his former ſentence. Ayloffe and Rumbold, who had been concerned in the Rye-houſe conſpiracy, accompanied Argyle on this expedition, and ſuffered alſo with him the penalties of the law. They appear to have been men of upright intentions, and of undaunted reſolution. The latter at his execution declared himſelf a friend to a monarchical rather than a republican form of government, but the determined enemy of tyranny in every form. Ayloffe was conveyed to London, under the idea of his being able to make ſome important diſcoveries, and was examined by the King in perſon, who took great pains to extort a confeſſion from him, though to very little purpoſe. Irritated by the ſullen obſtinacy of the priſoner, the King at length ſaid, "Do you not know that it is in my power to puniſh, and in my power to pardon?" To which Ayloffe replied, "I know it is in your *power* to pardon, but not in your *nature*." This magnanimous indiſcretion only ſerved to haſten the execution of his ſentence.

So elated was the King with the continual flow of ſucceſs which he had experienced from the commencement of his reign, that he ſeemed to think it ſcarcely neceſſary to keep up any appearance of regard to his moſt public and ſolemn engagements. On the re-aſſembling of Parliament in November (1685), he told the two Houſes without reſerve, "That, having found the militia during the late diſturbances of little uſe, he had levied an additional body of regular forces, for which he demanded an additional ſupply; and that he had diſpenſed with the Teſt Laws in favor of a great number of Catholic officers employed by him, and of whoſe ſervices he was determined not to be deprived." Openly inſulted by this declaration, the Houſe of Commons began at length to exhibit ſome faint ſymptoms of political animation; and, after paſſing the vote of ſupply, they reſolved upon preſenting an humble addreſs to the King againſt the diſpenſing power: to which the King replied in the

the moſt haughty and contemptuous terms—declaring, "that he expected no oppoſition, after having ſo poſitively made known his will upon that ſubject." This cowardly and ſervile aſſembly was thrown into conſternation at this reply. It was followed by a long and profound ſilence: and when one of the Members at laſt roſe up and ſaid, "that he hoped they were all Engliſhmen, and not to be frightened by a few hard words," the Houſe voted that he ſhould be committed to the Tower. On their next meeting, they proceeded to eſtabliſh funds for the payment of the ſubſidy, and prepared to paſs a bill for indemnifying thoſe who had incurred the penalties of the Teſt. But ſo highly did the King reſent this feeble ſhow of oppoſition, that he immediately prorogued, and at length diſſolved, the Parliament. As it was impoſſible however that any Parliament more devoted to the Court could be choſen, it was univerſally underſtood, that his intention was for the future to govern without Parliaments. And all thoſe who dared to avow themſelves inimical to the repeal of the Teſt Laws, whatever were their merits in other reſpects, were diſmiſſed from his ſervice; amongſt whom were the Marquis of Halifax and the Earl of Rocheſter, who for a time ſeemed to poſſeſs the higheſt ſhare in the King's favor and confidence.

Diſſolution of Parliament.

Affairs were now chiefly committed to the management and direction of the Earl of Sunderland, a nobleman of ſingular addreſs and capacity, but wholly devoid of honor or of rectitude; bold, artful, inſidious, and diſpoſed or rather determined to go all lengths with the Court, in order to compaſs the objects of his unprincipled and immeaſurable ambition. As a parliamentary repeal of the Teſt Laws could not be obtained, it was thought neceſſary that the diſpenſing power of the Crown ſhould be eſtabliſhed by a ſolemn judicial deciſion. For this purpoſe, a domeſtic of Sir Edward Hales, a diſtinguiſhed Catholic, who held a commiſſion in the army, was directed to inform againſt his maſter for non-compliance with the Teſt, and to claim the reward of 500l. given by law to the informer. Before this intereſting cauſe came to a hearing, the Judges were privately and ſeparately tampered with, and ſuch of

Character of the Earl of Sunderland.

King's diſpenſing power confirmed by the Judges.

them diſmiſſed as would not conſent to recogniſe the legality of the diſpenſing power. In favor of this moſt alarming and unconſtitutional aſſumption of authority, it was argued by the Court Lawyers, "that the exerciſe of it was very antient in England; and that the Parliament itſelf had more than once acknowledged this prerogative of the Crown. The great oracle of Engliſh law, Sir Edward Coke himſelf, aſſerts, that no ſtatute can impoſe ſuch a diſability of enjoying offices as the King may not diſpenſe with; becauſe the King from the law of nature has a right to the ſervices of all his ſubjects. Nor can the dangerous conſequences of granting diſpenſations be ever allowably pleaded before a court of judicature. Every prerogative of the Crown admits of abuſe. Should the King pardon all criminals, the whole frame of civil polity muſt be diſſolved. Should he declare perpetual war againſt all nations, inevitable ruin muſt enſue. Yet theſe powers are equally entruſted to the Sovereign; and we muſt be ſatisfied, as our anceſtors were, to depend upon his prudence and diſcretion in the exerciſe of them." Lord Chief Juſtice Herbert, who preſided on this extraordinary occaſion, aſſumed as certain and incontrovertible propoſitions, "that the laws were the King's laws; that the King might diſpenſe with his laws in caſe of neceſſity; and that he was the ſole judge of that neceſſity." To theſe accommodating and courtly doctrines it was indignantly anſwered, and to the entire approbation and conviction of the far greater part of the kingdom, "that it was falſe to ſay, the diſpenſing power of the Crown had ever been eſtabliſhed by law—that in caſes of real utility or neceſſity, the exerciſe of that power had indeed long been ſubmitted to—and that, in the turbulence of the Gothic and feudal ages, it formed a ſalutary though certainly an irregular branch of the royal prerogative. For, that the Legiſlature did not even in thoſe dark and barbarous times acknowledge the legality of this power, or at leaſt of the unlimited exerciſe of it, appears from an act of parliament paſſed in the reign of King Richard II. which expreſsly granted to the King the power of diſpenſing with the Statute of Proviſors for a limited time. The practice of antient times was however in preſent circumſtances of ſmall importance. The Conſtitution had, in the courſe of many ſucceſſive reigns,

been gradually altered and improved. The principles of government, and the great ends of government, were now much better underſtood than at any preceding period. The danger of admitting this extravagant claim of the Crown had become fully apparent; and in the laſt reign it had been ſolemnly condemned by Parliament, and virtually relinquiſhed by the Sovereign. Shall it now be revived, and paſſively ſubmitted to, when the object in view clearly, and almoſt avowedly, is not to moderate the rigors of public juſtice, or to gratify the feelings of royal benignity, but to ſap the foundation of that impregnable barrier which the wiſdom of the Legiſlature had erected for the protection of the religion and liberty of the State, and which bade defiance to the efforts of open violence? Let the language of the lawyers, and the precedents adduced by them, be what they may, it is prepoſterous and contrary to common ſenſe to ſuppoſe, that a law enacted for the expreſs purpoſe of guarding againſt the deſigns of the Crown can be diſpenſed with at the pleaſure of the Crown. In a word, the queſtion, with every true Engliſhman, is not, what has been the practice of former times, in different ſituations and different circumſtances; but, what the actual ſituation and preſent circumſtances of the Nation demand. And who will be abſurd and ridiculous enough to maintain that the guardians of their country, and the defenders of its religion and liberties, are bound to make a laborious reſearch into muſty parchments and antiquated precedents, in order to aſcertain whether they may lawfully reſiſt a claim, which, if once fully eſtabliſhed, would ſuperſede all law, and render all precedents uſeleſs?" In concluſion, the Judges gave it as their unanimous opinion, that the diſpenſing power was a legal and indefeaſible branch of the royal prerogative, and the Nation ſaw with amazement this new triumph of deſpotiſm.

Artifices of the Court to gain over the Diſſenters.

In conſequence of the general alarm now excited, and the refractory ſpirit diſplayed by the moſt zealous Royaliſts, and even by the Clergy of the Eſtabliſhment, relative to the Teſt, the Court affected to adopt a new language; and the wiſdom, the juſtice and the expediency of an univerſal toleration in religion became on a ſudden the prevailing and

favorite topics of diſcourſe. This language was intended, as indeed it was well calculated, to gain the confidence and conciliate the affections of the Proteſtant Diſſenters, by whoſe aſſiſtance the King was now eagerly deſirous to accompliſh that object to which the more obedient and ſubmiſſive ſons of the Church appeared ſo decidedly hoſtile. With this view, the corporations throughout the kingdom were entirely new-modelled; and the King's once zealous partiſans, the High Churchmen and Anti-Excluſioniſts, were diſcarded, in order to make room for his determined adverſaries, the Whigs and Diſſenters; and, for the moſt part, ſuch as had moſt diſtinguiſhed themſelves by the violence of their animoſity againſt him. The King was perpetually exclaiming with affected abhorrence againſt the oppreſſive proceedings of the late reign reſpecting the Non-conformiſts; and reproaching the Church with thoſe acts of cruelty of which he was known to be himſelf the principal inſtigator. He ordered an enquiry to be made into all the vexatious ſuits by which the Diſſenters had been haraſſed in the Eccleſiaſtical Courts, and the illegal compoſitions extorted from them as the purchaſe of redemption from farther perſecution. At length he ventured to iſſue an abſolute and plenary declaration of indulgence, including an entire ſuſpenſion of all penal laws in matters of religion: and aſſerting the ſervice of all his ſubjects to be due to him by the laws of nature, he pronounced them all equally capable of employments, and ſuppreſſed all oaths and teſts that reſtrained or limited that capacity.

The Diſſenters had ſo long groaned under the rod of ſpiritual and temporal tyranny, and their minds were ſo embittered againſt thoſe whom they regarded as the authors of all their ſufferings, that it cannot be thought very marvellous they ſhould diſcover ſome ſymptoms of temporary ſatisfaction, or rather exultation, at this return of proſperity, not very conſiſtent with that jealous regard and firm attachment to the principles of conſtitutional liberty which they had uniformly profeſſed, and by which their conduct had been in general diſtinguiſhed. To ingratiate himſelf farther into their good opinion, the King, and the Courtiers

who were moſt in his confidence, talked much and loudly of the popular laws which were intended to be enacted in the approaching Parliament, and of the additional ſecurities by which the liberties of the ſubject would be guarded. In conſequence of theſe artifices, numerous addreſſes were preſented by the Sectaries, containing very ample and indiſcreet proteſtations of gratitude and loyalty.

But the more intelligent and reſpectable perſons amongſt them viewed theſe groſs and palpable attempts to deceive, with contempt and indignation. The King having ſignified to the new Lord Mayor of London, who was a profeſſed Diſſenter, and appointed by royal mandamus to that office, that he was at liberty to uſe what form of worſhip he pleaſed in Guildhall Chapel, that magiſtrate ſcrupled not to offer an open affront to the King's authority by referring the legality of this permiſſion to the deciſion of counſel, by whom it was pronounced null and void. And the Lord Mayor had the prudence and moderation uſually to attend the eſtabliſhed worſhip during his mayoralty. Alſo, to ſhew their contempt of the diſpenſing power aſſumed by the King, he as well as the new Court of Aldermen qualified themſelves for holding their offices agreeably to the requiſition of the Teſt Laws. The anniverſary of the Gunpowder Treaſon was likewiſe commemorated as uſual, by order of the new Magiſtracy, to the great diſpleaſure of the Court. And when the Sheriffs by command of the King invited the Nuncio, who about this period arrived from Rome, to the Lord Mayor's feaſt, an entry was made in the Corporation books, that it was done without the knowledge or approbation of the Magiſtracy. Incenſed at theſe repeated marks of diſreſpect and diſaffection, the King declared, " that the Diſſenters were an ill-natured and obſtinate people, not to be gained by any indulgence." In order, however, to carry on the farce of moderation and toleration, the French refugees, who now arrived in great numbers in England upon the repeal of the Edict of Nantz, were received with favor, and treated with great oſtentation of kindneſs. But this made little impreſſion upon the minds of the generality of people, who ſaw plainly, by the

manner

manner in which affairs were at this very time conducted in Scotland and Ireland, how little was to be expected from the King's lenity, could he once eſtabliſh his authority upon a firm foundation in England.

1686. Affairs of Scotland:

In the ſummer of 1686, the Earl of Murray, a new convert to the Catholic religion, was commiſſioned to hold a Parliament at Edinburgh; and the King by his royal letter recommended in very urgent terms the repeal of all penal laws and teſts relative to religion. Though the object of the Court was apparent to all, and though the Scottiſh biſhops had been hitherto actuated by an unrelenting ſpirit of perſecution; they exerted on this occaſion all their eloquence to perſuade the Parliament to comply with the King's requeſt, or rather demand: but nothing farther could be obtained than a ſuſpenſion of thoſe laws during the life-time of the King. This conceſſion, though a very important one, was rejected with diſdain by James, who diſſolved the Parliament in great wrath: and by the expreſs command of the King, the Archbiſhop of Glaſgow and the Biſhop of Dunkeld, who had dared to oppoſe the motion of repeal, were deprived of their biſhoprics; for which no other motive was aſſigned but that ſuch was the King's pleaſure. In Ireland, the Earl of Clarendon was removed from the office of Lord Lieutenant, and the Earl of Tyrconnel nominated as his ſucceſſor; a moſt bigoted Papiſt, and a man of ſuch ſavage ferocity, that even the moderate Catholics in England expreſſed great apprehenſion and uneaſineſs at this appointment. And Lord Bellaſis, who ſucceeded the Earl of Rocheſter in the Treaſury, did not heſitate to affirm with an oath, "that Tyrconnel was fool and madman enough to ruin ten kingdoms." This man had, without deigning to ſeek any colorable pretext, caſhiered all the Proteſtant officers in the Iriſh army, and had put the Catholics in entire poſſeſſion of all the offices of government. He was preparing meaſures to pack a Parliament which ſhould repeal the Act of Settlement, and empower the King to reſtore all the lands of Ireland to his Catholic ſubjects. Rice, Chief Baron of the Exchequer, in menacing terms declared "that he would drive a coach and ſix horſes through the Act of Settlement." And Fitton, a wretch convicted of the crime of forgery, and raiſed from a gaol to the

and of Ireland.

dignity

dignity of Chancellor of Ireland, and who was the principal adviſer of Tyrconnel, as well as the chief inſtrument of his tyranny, ſcrupled not publicly to affirm from the bench, "that the Proteſtants were all rogues; and that there was not one in forty thouſand of them who was not a traitor and a villain." Affairs alſo in England began every day to wear a more ſerious and alarming aſpect, and ſeemed manifeſtly haſtening to a criſis.

New Court of Eccleſiaſtical Commiſſion.

By virtue of the royal ſupremacy, a new Eccleſiaſtical Court was eſtabliſhed in direct oppoſition to the Act of 1640, by which the former Court of High Commiſſion had been aboliſhed, and which expreſsly prohibited its revival in any form. This Court, conſiſting of the Archbiſhop of Canterbury, the Biſhops of Durham and Rocheſter (Crew and Sprat), the Lord Chancellor Jeffries, the Lord Treaſurer Rocheſter, and the Lord Chief Juſtice Herbert, was empowered to proceed diſcretionally in a ſummary way in all eccleſiaſtical matters, any law or ſtatute to the contrary notwithſtanding. And they did not long wait for an opportunity of exerciſing their authority. Dr. Sharpe, rector of a pariſh in the dioceſe of London, and a very popular preacher of thoſe times, ventured, in direct oppoſition to the royal injunction expreſsly prohibiting all controverſial topics in the pulpit, to expoſe and confute the errors and abſurdities of popery without reſerve, in a ſermon preached by him in his own pariſh church; and took occaſion to ſpeak in contemptuous language of thoſe who were weak enough to embrace a religion ſupported by arguments ſo futile and frivolous. This was immediately reported at Court, and repreſented as a perſonal reflection upon the King; and the Earl of Sunderland ſent an order to the Biſhop of London in the King's name, requiring him to ſuſpend Sharpe immediately, and then to examine judicially into the truth of the allegation againſt him. The Biſhop replied, that he had no power to proceed in ſuch a ſummary way; but if an examination were regularly brought into his court, he would inflict ſuch cenſure as could be warranted by eccleſiaſtical law. In conſequence of this refuſal the Biſhop himſelf was cited before the Commiſſioners, and ſuſpended for contumacy and diſobedience to the King's authority: and

Biſhop of London ſuſpended.

Jeffries,

Jeffries, for his eminent ſervices recently advanced to the Chancellorſhip, treated this prelate with a rudeneſs and inſolence which inflamed the minds of the public ſtill more than the ſentence itſelf. Even the Princeſs of Orange, for preſuming to intercede with the King in behalf of the Biſhop, who had long ſtood high in her eſteem and favor, was ſeverely reprimanded for interfering in affairs with which ſhe had no concern.

Vice-Chancellor of Cambridge ejected from his office.

As if the King had formed a determination to involve himſelf every day in ſome new difficulty, a royal mandate was ſent to the Univerſity of Cambridge, requiring the degree of Maſter of Arts to be conferred on Father Francis, a Benedictine monk. The Univerſity, plainly perceiving that by a compliance with this mandate a door would be opened for the admiſſion of Papiſts, who would ſoon become a majority of the Senate, peremptorily refuſed to obey the King's order; and the Vice-Chancellor was ſummoned before the Eccleſiaſtical Commiſſioners to anſwer this contempt; and by ſentence of the Court was ejected from his office. The King alſo choſe this opportunity to engage in a quarrel of a ſtill more ſerious nature with the Univerſity of Oxford. That learned body had a few years before paſſed a ſolemn decree in full convocation, approving and confirming the doctrines of paſſive obedience and non-reſiſtance in the moſt explicit terms. The time was now arrived to demonſtrate the difference between the theory and practice of theſe abſurd principles. The Preſident of Magdalen College, one of the richeſt foundations in the Univerſity, dying at this juncture, a mandate was ſent in favor of one Farmer, a Papiſt, and a man in other reſpects by the ſtatutes of the College ineligible to the office. The Fellows of the College made ſubmiſſive applications to the King to recall his mandate. But the King not deigning to notice them, they unanimouſly choſe Dr. Hough, a man eminent both for virtue and ability, and who afterwards filled with diſtinguiſhed reputation the ſee of Worceſter. The new Preſident and Fellows, being cited before the Eccleſiaſtical Commiſſioners for this contumacy, brought allegations againſt Farmer of ſuch a nature that the Court did not deem it expedient to inſiſt upon their nomination. But affirming that the College ought to have ſhewn more reſpect to the King's letter than

Preſident and Fellows of MagdalenCollege expelled.

than to proceed to an election in opposition to it, the Commissioners took upon them to declare Hough's election null, and to put the House under suspension. And a new mandate was issued in favor of Parker, an abject tool of the Court, and lately created Bishop of Oxford. The College humbly represented, "that a President having been already legally chosen, it was not in their power to deprive him of his office, or to substitute any other in his place—that, even in case of a vacancy, Parker did not possess the statutable qualifications which by oath they were bound to observe; and, as their loyalty had been ever conspicuous, they entreated his Majesty to believe that their present opposition to his royal will arose solely from their inability to conform to it." No impression however was made on the haughty and inflexible disposition of the King by these arguments; and, in a visit which he made to the University not long afterwards, he sent for the President and Fellows to attend him in person, and in high and menacing language commanded them without further excuse or delay to choose Parker for their President. As the College still refused to degrade themselves by compliance, the new President was at length ejected by open violence. The doors of his house were broken open, and Parker by a forcible seizure put into possession. The Fellows, excepting two, who were base enough to submit, were likewise deprived of their fellowships, which were without any process of law bestowed upon men entirely devoted to the King's will and pleasure; and who, on the sudden death of Parker, chose one Gifford, a doctor of the Sorbonne, as their President, who was also nominated to the vacant See of Oxford.

This act of undisguised despotism inflamed the minds of all ranks and orders of men with anger and indignation. Fellowships being, by the universal consent of the lawyers, of the nature of freeholds, it was evident that no man's property was secure, and that nothing less than the absolute subversion of the whole frame and constitution of government was to be apprehended. Popery could only be established by tyranny; and the Nation began now in earnest to consider of the means of resistance. And the eyes of all seemed fixed as with one consent on the Prince of Orange; from whom alone timely and effectual relief could be expected in this season

ſeaſon of difficulty and danger. This daring outrage, however, was quickly followed by a tranſaction ſtill more extraordinary, and which diſplayed the infatuation and extravagance of the King in colors ſtill more ſtriking and vivid.

Declaration of Indulgence.

A ſecond Declaration of Indulgence was publiſhed in terms not materially different from the former: and to this Declaration an order was ſubjoined, that it ſhould be read in all the churches throughout the kingdom, immediately after the celebration of divine ſervice. This mandate being juſtly regarded by the Clergy as a direct and flagrant inſult upon their order, by virtually making them the inſtruments of the ruin of that Church of which they were ordained the Miniſters; they almoſt unanimouſly reſolved, notwithſtanding their rooted prejudices in favor of royalty, to refuſe obedience to this injunction. Sancroft, Archbiſhop of Canterbury, a man of high monarchical principles but of inflexible integrity, after conſulting ſuch of his brethren as he could convene on this emergency, agreed with them to preſent a petition to the King againſt the Declaration of Indulgence; ſtating in the moſt ſubmiſſive terms their reaſons why they could not, as they expreſſed themſelves, in prudence, honor, or conſcience, ſo far make themſelves parties to it, as a diſtribution of it all over the nation, and the ſolemn publication of it, once and again, even in God's houſe and in the time of divine ſervice, muſt amount to in common and reaſonable conſtruction." The King received this petition with vehement marks of indignation. He told them "he was their King, and would be obeyed, and that they ſhould feel what it was to diſpute his authority."

Seven Biſhops committed to the Tower.

After the delay of a fortnight, during which interval the moſt moderate even of the Catholics attempted in vain to ſoften and abate the anger of the King; the Biſhops, who were ſeven in number, were cited to appear before the Privy Council. The petition being produced, they were aſked whether they would acknowledge it as their petition. To this, after ſome heſitation, they anſwered in the affirmative; upon which a warrant was made for their commitment to the Tower, and the Crown

Lawyers received orders to proſecute them as the authors of a ſeditious and ſcandalous libel. The paſſions of the people were now completely rouſed; and when the day fixed for the trial of theſe venerable confeſſors arrived, the reſult of it was expected with inexpreſſible ardor and anxiety. According to the poſitions maintained by the generality of lawyers, a verdict ought to have been found againſt the Biſhops without heſitation. For it is affirmed, that the law of England allows Jurors to be judges only of the fact, and leaves all queſtions of law to be determined by the Courts of Law. The fact in this caſe was indubitable; the Biſhops had expreſsly avowed themſelves the authors of the petition: and if the queſtion of law, whether it were ſeditious or libellous in its tendency, were referred to the Court, it may eaſily be conjectured in what manner it would have been decided. Happily, to the ſophiſtry and ſubtilty of legal refinement common ſenſe may be ever ſucceſsfully oppoſed; and common ſenſe teaches us that, when the queſtion of law is ſo involved and blended with the matter of fact, that the fact itſelf, as containing a criminal allegation, can only be aſcertained by deciding upon the point of law, then it is not merely the privilege but the duty of a Jury, according to the beſt lights which they are able to attain, to include both in one general verdict; otherwiſe Juries in ſuch caſes become wholly ſuperfluous, inſignificant and contemptible. "The traitorous or evil intent," ſays Sir Matthew Hale in his Pleas of the Crown, "is the very giſt of an indictment, and muſt be anſwered by the plea of not guilty: and the Jury are bound to take notice of the defenſive matter adduced to diſprove the allegation, and to give their verdict accordingly.—It would be," adds this great magiſtrate, "a moſt unhappy caſe even for the Judge himſelf, if the defendant's or priſoner's fate depended upon his directions. Unhappy alſo for the priſoner; for, if the Judge's opinion muſt rule, the trial by Jury would be uſeleſs."

After a trial of near eleven hours, ſucceeded by a conſultation of the Jury which laſted the whole night, the Biſhops were pronounced "Not guilty;" to the infinite joy and ſatisfaction of the ſurrounding multitudes, who filled the air with ſhouts and acclamations. And this victory over

a monarch who had now incurred the general deteſtation of his ſubjects, was celebrated by illuminations and public rejoicings throughout every part of the kingdom. The King, who was at this period with the army, encamped as uſual for ſeveral ſummers paſt on Hounſlow Heath, was ſuddenly alarmed with the appearance of a general tumult amongſt the ſoldiers, accompanied with wild and extravagant demonſtrations of joy. Upon enquiring the cauſe, of the Earl of Feverſham, he was told, "that it was nothing but the rejoicings of the ſoldiers for the acquittal of the Biſhops."—"Do you call that nothing?" ſaid the King. "But ſo much the worſe for them." Subſequent circumſtances, however, happily did not allow him to execute the deſigns, whatever they might be, which his malignant revenge at the moment ſuggeſted.

Obſtinacy and infatuation of the King.

The policy of James in thus collecting his forces together in one body, was much queſtioned by the moſt ſagacious of his own adherents. By enjoying the perpetual means of ſocial intercourſe, they encouraged and animated each other to reſiſt the farther progreſs of deſpotiſm, and not to ſuffer themſelves to be made the vile and paſſive inſtruments of enſlaving their fellow ſubjects and of extirpating the Proteſtant religion. The ſpirit by which the army was actuated, appeared on a variety of occaſions; but the King was as a man walking on the edge of a precipice, obſtinately and wilfully averting his eyes from the view of the danger. Having determined to recruit and augment his army from Ireland, the attempt was firſt made on the Duke of Berwick's regiment. The Lieutenant Colonel and five of the Captains ſtrongly remonſtrating againſt the admiſſion of Iriſh Papiſts into the army, the order was renewed in terms the moſt peremptory, and the Duke of Berwick ſent in perſon to ſee it enforced; upon which the officers deſired leave to lay down their commiſſions. The King, tranſported with paſſion, commanded them to be tried by a court-martial for mutiny: and they were broken with diſgrace, and declared incapable of future ſervice. With the evident deſign of procuring a parliamentary repeal of the penal ſtatutes by intimidation, if not by open force, the King condeſcended to communicate to the army his ſentiments reſpecting this important object, and required

them to ſatisfy him as to their willingneſs to concur with him in the meaſures which he ſhould adopt for that purpoſe. The firſt battalion upon whom this ſingular experiment was made, on being commanded to lay down their arms provided they did not think proper to enter into his Majeſty's views on this point, without heſitation grounded their arms accordingly. The King declined any farther trial, and ſullenly told them, that for the future he would not do them the honor to apply for their approbation.

Earl of Caſtlemaine's Embaſſy to Rome.

Undiſmayed, however, by all the indications of the public odium and indignation, which became every day more and more apparent, he reſolved to ſend the Earl of Caſtlemaine to Rome, in the character of Ambaſſador Extraordinary, for the expreſs purpoſe of declaring in the moſt public and ſolemn manner the obedience and ſubmiſſion of the Crown of England to the Pope, and of reconciling the Britiſh realms to the Holy and Apoſtolic See. Inſtead of meeting with a reception correſponding to the dignity and importance of his embaſſy, this nobleman was treated with a coldneſs and indifference approaching to contempt. The Court of Rome (which at this period as well as at moſt other times made their religion entirely ſubſervient to their politics), fully appriſed of the egregious indiſcretion of James, were careful not to give unneceſſary umbrage to the Engliſh nation, the perpetual rival of France, merely to gratify the ſenſeleſs bigotry of a monarch whoſe crown ſeemed already tottering upon his head.

The Earl had it expreſsly in charge from the King, to ſolicit a Cardinal's hat for Father Petre, a Jeſuit, who had acquired a wonderful aſcendant at the Engliſh Court, and who was generally conſidered as the ſecret but principal adviſer of the late deſperate meaſures. But the Pope replied, that he had made it a rule never to raiſe any of that order to the purple. The Ambaſſador alſo urged the Miniſters of the Pope to make ſatisfaction to the King of France, with whom his Holineſs had been long at variance; and gave intimations of a project ſecretly entertained by the King of England, in concert with

the King of France, for the utter extirpation of hereſy. Perceiving his remonſtrances neglected, he demanded an audience of his Holineſs, in which he expreſſed his grief and aſtoniſhment that ſo little regard was paid to the repreſentations of theſe two great Monarchs. He even preſumed to throw out ſome perſonal reflections on the Holy Pontiff himſelf, as apparently negligent of ſpiritual concerns, and engroſſed wholly in temporal purſuits, which, he ſaid, had given juſt cauſe of ſcandal to all Chriſtendom. And he concluded with a declaration, that, ſince the remonſtrances and repreſentations made in his maſter's name were ſo little attended to, he ſhould haſten his departure to England. The Pope replied laconically, "that he might do juſt as he thought proper." But on quitting his preſence, he cauſed it to be ſignified to him "that it was the laſt private audience with which he would be indulged—that his Holineſs highly reſented the diſreſpect he had been treated with, which was ſuch as he had never before experienced from any other perſon on any occaſion." The Ambaſſador ſoon afterwards giving formal notice of his reſolution to return, and requeſting to know if his Holineſs had any thing to give him in charge, it is ſaid the Pope ſent him word, "that he had nothing to trouble him with but his advice to travel in the cool of the morning, as the heat of an Italian ſun might be prejudicial to his conſtitution." And thus ended this expenſive, fruitleſs, and ridiculous embaſſy.

Prudent conduct of the Prince and Princeſs of Orange.

The Prince and Princeſs of Orange had hitherto with great prudence abſtained from taking any active part in the affairs of England, in order to avoid giving any juſt ground of offence to the King. But they were now conſtrained by direct and repeated applications of the King himſelf, who earneſtly wiſhed to procure their conſent to the parliamentary abolition of the Teſt and Penal Laws, to make an explicit declaration of their ſentiments reſpecting thoſe topics. And Penſionary Fagel, by command of their Highneſſes, returned a written anſwer to Stuart the confidential agent of his Majeſty, "that it was the unalterable opinion of their Highneſſes, that no man ſhould be expoſed to any ſpecies of perſecution

ſecution merely on account of his adopting a faith different from that of the State. They freely conſented therefore to the repeal of the Penal Statutes; but, as to the Teſt Laws, they regarded them as by no means of a penal nature, but as juſt and neceſſary precautions for the ſecurity of the eſtabliſhed religion, which would obviouſly be expoſed to the moſt imminent danger ſhould theſe bulwarks of the National Church be removed *.

The King was highly incenſed at this refuſal, and declared that he would not accept of the repeal of the Penal Laws, unaccompanied by that of the Teſt. He ſaid, he was the head of the family; and that the Prince ought to conform to his will, inſtead of which he had conſtantly oppoſed him. The King alſo affected great diſpleaſure againſt the States of Holland, and appeared eager to ſeek occaſions of quarrel. On the other hand, the Prince, finding that he had wholly loſt the favor of the King, and perceiving that the period was at length arrived when he might exert himſelf with dignity, propriety and effect, ſcrupled not to diſpatch Dykvell, a man of capacity and addreſs, into England for the purpoſe of eſtabliſhing a correſpondence with the leaders of all the different parties—aſſuring them of the Prince's earneſt deſire to preſerve the Conſtitution inviolate both in Church and State, and to concur with them in any meaſure which they deemed conducive to the public intereſt or ſafety.

* On the authority of this declaration, Biſhop Sherlock has affirmed in unqualified terms, contrary to known and eſtabliſhed facts, that King William was adverſe to the repeal of the Teſt Laws. In reply to the arguments and ſolicitations of James, the Prince and Princeſs of Orange very properly diſtinguiſh between the *principle* of the Penal Laws and that of the Teſt Laws. The object of the firſt is the forcible ſuppreſſion of non-conformity as a ſpecies of criminal diſobedience; of the ſecond, a juſt and neceſſary regard to ſelf-preſervation againſt the attacks of a dangerous adverſary. While the danger exiſted, to have conſented to the repeal of the latter would have been making themſelves acceſſary to the national ruin. But when the Revolution had taken place, and the ſafety of the Nation was ſecured, the civil and political diſabilities created by the Teſt, not being warranted by a real and urgent political neceſſity, were converted into acts of oppreſſion and perſecution; and that great Monarch diſplayed his juſtice, wiſdom and generoſity in the efforts made by him to obtain their repeal.

About this period happened an event, which greatly tended to accelerate the progreſs and facilitate the ſucceſs of theſe ſecret negotiations. This was no other than the birth of a Prince of Wales, June 10, 1688. Such had been the unparalleled infatuation diſplayed by the King throughout the whole courſe of his reign, that it cannot be thought ſtrange he ſhould by the generality of his ſubjects be deemed capable of the crime of impoſing upon the Nation a ſuppoſititious child, in order to enſure the accompliſhment of thoſe projects, which he now began to deſpair of being able to effect within the compaſs of his own life. It tended ſtrongly to corroborate this ſuſpicion, that the Queen had been for ſeveral years in an ill ſtate of health, and was now ſuppoſed incapable of bearing children. During the months of pregnancy, and at the birth, ſufficient care was not taken to obviate the jealous ſurmiſes which were known to be entertained; but which the pride of the King and Queen prompted them to treat with diſdain. After the reports, at firſt whiſpered abroad, were more loudly and generally circulated, and acquired great and increaſing credit, attempts were in vain made to aſcertain with legal preciſion the reality of the birth; though there is certainly no juſt or reaſonable ground to ſtain the memory of this Prince, however odious or contemptible, by imputing to him a deſign ſo flagrantly criminal. The Prince of Orange, who perceived in conſequence of this event the proſpect with which he had been ſo long flattered, of ſucceeding to the Britiſh Crown after the demiſe of the King, ſuddenly and unexpectedly vaniſh, was no longer inclined to keep any meaſures with the Engliſh Court. And he was now incited no leſs by ambitious than patriotic motives to diveſt the King of that authority which he had ſo groſsly abuſed; and a great ſhare of which muſt, in caſe of a revolution in the Government, naturally devolve upon him. The Engliſh Nation, on the other hand, after the birth of an heir-apparent, ſaw no poſſible refuge or reſource from the deſpotiſm with which it was threatened, but in the courage, ability and virtue of the Prince of Orange, who was at the ſame time beſt qualified and beſt entitled to take the lead in the plan of reſiſtance now determined upon. Invitations to the Prince for this purpoſe from a great number of perſons of the firſt rank and conſequence in the kingdom were

1688. Birth of the Prince of Wales.

were carried over by Zuyleſtein, on his return to Holland from an embaſſy of compliment which the Prince, to preſerve the faint appearance of amity, had ſent to the King on the birth of his ſon.

Duplicity of Sunderland.

It is remarkable, that even Sunderland himſelf, from whoſe ſagacity and penetration theſe intrigues could not be concealed, far from diſplaying that firmneſs and deciſion which were neceſſary to extinguiſh or counteract them, entered into a ſecret correſpondence with the Prince, and encouraged him to undertake this enterpriſe. Fully ſenſible of the dangerous predicament in which he ſtood, and filled with doubts and fears reſpecting the iſſue of the approaching conflict, this Miniſter exerted all the arts of his inſidious policy to provide for his perſonal ſafety, whether it terminated in favor of the Prince or of the King. Whilſt he correſponded with the Prince therefore, and directed the Royal Councils in the manner moſt likely to facilitate the ſucceſs of the enterpriſe; in order effectually to deceive the King, and to ingratiate himſelf ſtill farther into his favor and confidence, he took this opportunity of declaring himſelf a convert to the Roman Catholic religion: an artifice ſufficiently groſs, conſidering the preſent poſture of affairs, had not the King's weakneſs been ſtill more open and palpable.

State of Europe.

The ſtate of Europe at this period was peculiarly favorable to the enterpriſe now in contemplation. A warm diſpute actually ſubſiſting between the Courts of Vienna and Verſailles reſpecting the ſucceſſion to the Biſhopric of Liege, afforded the States of Holland, who were nearly intereſted in the event, an opportunity of augmenting their forces by ſea and land, without giving immediate cauſe of ſuſpicion or umbrage. After their naval and military preparations, however, had continued ſome weeks without intermiſſion, D'Avaux, the French Ambaſſador at the Hague, adviſed his Court, that he had good ground to believe not Liege but England to be the principal object in view. Louis immediately tranſmitted this intelligence to James: but the King of England treated it as a wild and incredible ſurmiſe; and repeatedly ſaid, "that whatever the deſigns of the Dutch might be, he was ſure they were not intended

Projects of the Prince of Orange.

tended againſt him. The King of France, perceiving with aſtoniſhment the tranquillity of the King of England in this moment of danger, ordered his Ambaſſador at the Hague to repreſent to the States, that, in conſequence of the ſtrict alliance and friendſhip ſubſiſting between the two monarchs, his maſter would conſider any hoſtile attempt againſt England as a declaration of war againſt himſelf. When this was reported to James, he appeared much diſpleaſed; and affirmed, "that the amity ſubſiſting between himſelf and Louis was nothing different from that which uſually ſubſiſted amongſt Princes; and that, if he was attacked, he knew how to defend himſelf without ſoliciting the aid and protection of France." By the advice of Sunderland, he had before refuſed to accept a body of auxiliary forces which Louis was deſirous to ſend to his aſſiſtance; and rejected the propoſal of the Earl of Melfort to ſeize the perſons of the moſt powerful and dangerous of the mal-contents. And in this ſtate of unſuſpecting ſecurity he remained till the end of September, when he received a letter from the Marquis of Albeville, his Ambaſſador at the Hague, informing him that Penſionary Fagel had at length acknowledged that the invaſion of England was the ſole end of theſe mighty preparations. Struck with conſternation, the letter dropped from his hand; and, as if awakened from a dream, he perceived at once all the horrors of his ſituation. In this deſperate emergency, he had recourſe to the Earl of Sunderland, on whoſe capacity and fidelity he chiefly relied. And this nobleman counſelled him without delay to reſcind thoſe illegal and unpopular meaſures which had excited the preſent alarming ſpirit of diſaffection and revolt. He now therefore eagerly offered to enter into a Treaty of Alliance with the States for their common ſecurity: he replaced the Magiſtrates who had been arbitrarily removed from their offices: he reſtored the Charters which had been annulled: he aboliſhed the Court of Eccleſiaſtical Commiſſion: he took off the Biſhop of London's ſuſpenſion: he re-inſtated the expelled Preſident and Fellows of Magdalen College; and he ordered writs for a new Parliament to be made ready for the Great Seal.

Terrors of the King.

Theſe ſymptoms, not of remorſe but terror, did not however prevent the

The Prince of Orange lands at Torbay.

1688. the Prince of Orange's ſailing from the Texel, November the 1ſt, 1688, with a fleet of 500 tranſports, having a large body of land forces on board, under the convoy of a ſtrong ſquadron of ſhips of war. A ſuperior Engliſh fleet, which lay at anchor at the Nore, were prevented putting to ſea by a violent eaſterly gale of wind, which carried the Dutch fleet into Torbay on the 4th of November. And on the day following the Prince of Orange landed his troops without the loſs of a man. Advancing forwards to Exeter, he was ſoon joined by great numbers of the nobility and gentry of the weſtern counties; and on the firſt intelligence of the Prince's arrival, every part of the kingdom was in commotion. Aſſociations were daily forming in his favor. The northern counties openly declared for him; and reſiſtance ſeemed to be no where thought of. The King came down to Saliſbury, where his army lay encamped: but finding that no dependance could be placed on its fidelity, and that it was rapidly diminiſhing by deſertion, he retreated to Andover; from which place Prince George of Denmark, who had hitherto attended the King's perſon, repaired to the head-quarters of the Prince of Orange. And on the King's arrival in London, he had the inexpreſſible mortification to learn that his daughter, the Princeſs Anne of Denmark, had withdrawn from Court in order to put herſelf under the protection of the inſurgents.

Not knowing whither to flee for ſafety, and overwhelmed with dejection and diſmay, the King convened a Council of all the Peers and Prelates who were in London; and by their advice he delegated the Lords Halifax, Nottingham and Godolphin, as Commiſſioners to treat with the Prince of Orange. The demands of his Highneſs were briefly—that a Parliament might be immediately ſummoned—that thoſe who were not qualified according to law, ſhould be removed from their offices—that the Tower of London ſhould be conſigned to the care of the citizens—that the fortreſſes of the kingdom ſhould be put into the hands of Proteſtants—that proviſion ſhould be made for the payment of the Prince's army—that during the ſitting of Parliament the armies on both ſides ſhould remain at an equal diſtance from the metropolis—finally, that the Prince ſhould have free acceſs to the Parliament, and be attended by the ſame number

of guards as the King. Theſe terms, though ſomewhat imperious, were fully juſtified by the circumſtances of the caſe, and were by the King himſelf pronounced more favorable than he expected.

King leaves Whitehall.

Inſtigated however by his own apprehenſions, and the inceſſant importunities of the Queen, who was terrified at the idea of a Parliamentary Impeachment, from which ſhe was told that the Queens of England were not exempted, James embraced the abſurd and deſperate reſolution of retiring from the kingdom; flattering himſelf that the confuſion which he fancied muſt inevitably enſue would operate to his advantage, and that he ſhould ſoon be ſolicited to reſume the Government. On the 10th of December at three in the morning he left the palace of Whitehall, with Sir Edward Hales, in the diſguiſe of a ſervant; and proceeded as far as Feverſham, where he was accidentally diſcovered. Upon the intelligence being carried to London, the Privy Council met, and ordered the King's guards and coaches to be ſent to Feverſham, in order to re-convey him to London; and on his arrival in the metropolis he was received with various demonſtrations of joy.

The Prince of Orange, who had heard of the King's departure with great pleaſure, and who had, at the expreſs deſire of the Nobles and Privy Council, aſſumed the executive powers of Government during his abſence, was extremely chagrined at his unexpected return; and a conſultation was immediately held, in order to determine in what manner to diſpoſe of the King's perſon. Some with equal reſolution and judgment propoſed to commit the King to ſafe cuſtody, at leaſt till a Parliament ſhould be called, and the ſettlement of the Nation finally concluded upon. Others were of opinion, that this bold and harſh meaſure would have a tendency to excite the public compaſſion, and to turn the tide of popularity in his favor. The Prince declared himſelf averſe to compulſion, though diſpoſed to act with firmneſs and vigor. And it was at length agreed, that the authority actually exerciſed by his Highneſs from the period of the King's departure ought not to be relinquiſhed: and that the King's

deſertion of the Nation made it improper to carry on any farther correſpondence or negotiation with him. The Earl of Feverſham, who was ſent by the King to Windſor with a meſſage to the Prince, was put under arreſt; and the Lords Halifax, Shrewſbury, and Delamere were deputed by the Prince with a meſſage to the King, deſiring or rather commanding him to leave the palace of Whitehall the next morning, and repair to Ham, or ſome other ſeat in the environs of the metropolis. The King enquired if he might not be permitted to retire to Rocheſter. This was eaſily acceded to; and it was perceived with much ſatisfaction, that the King had another eſcape in contemplation. The enſuing day he was accordingly conducted to Rocheſter, under the eſcort of a military guard. Here he lingered for ſome days, in the faint hope of receiving a ſecond invitation to return to the capital. The Earl of Middleton, who accompanied him, urged his ſtay, though in the remoteſt part of the kingdom. "Your Majeſty," ſaid he, "may throw things into confuſion by your departure, but it will be but the anarchy of a month. A new government will be ſoon ſettled, and you and your family are ruined." The King's reſolution, however, was fixed; and on the laſt day of December he embarked on board a frigate for France, where the Queen and the infant Prince of Wales were already arrived. And though the King of France had no reaſon to be highly pleaſed with his conduct, he had the generoſity to give him a very cordial and friendly reception.

1689. The throne declared vacant, and the Prince and Princeſs of Orange King and Queen of England.

The very ſame day on which the King left London, the Prince of Orange took poſſeſſion of St. James's. After receiving the numerous congratulations preſented to him from all quarters, he ſummoned an aſſembly conſiſting of all the nobles, prelates, and gentlemen who had ſat in any Parliament during the reign of King Charles II.; and by their advice he iſſued circular letters to all the counties and boroughs throughout the kingdom, to elect a Convention of the Eſtates of the Realm in the form of a Parliament; which accordingly met on the 22d of January 1689, and, after a long and intereſting debate, declared the throne of England VACANT; and by a deciſive majority of voices conferred the Crown, now

at

at the diſpoſal of the Nation, upon the Prince of Orange, as the juſt reward of that patriotiſm and valor by which he had ſo glorioufly reſcued them from ſlavery and ruin.

Such was the expedition and ſuch the facility with which a revolution was accompliſhed, which in its conſequences muſt be acknowledged one of the moſt intereſting and important in the annals of Hiſtory. From this period, a government was eſtabliſhed, which had for its baſis—what no other government had ever before expreſsly aſſumed—the natural and unalienable rights of mankind. From this period the grand queſtion, whether government ought to be exerciſed for the advantage of the governors or the governed, was finally decided. Government was by the higheſt authority allowed, and even virtually aſſerted, to be *a truſt*. And the inference could not with any degree of plauſibility be diſputed, that the men in whom this truſt is veſted, by whatever names or titles they may be diſtinguiſhed, ARE ULTIMATELY RESPONSIBLE TO THE COMMUNITY FOR THE PROPER EXERCISE OF IT.

ON

ON THE CHARACTER

OF THE

EARL OF SHAFTESBURY*.

NO character has labored under greater obloquy than that of the Earl of Shafteſbury: yet he appears from the general tenor of his conduct to have deſerved highly of his country; and thoſe parts of it which are at all queſtionable have been moſt groſsly and invidiouſly aggravated. It is the province of Hiſtory to correct theſe errors, and to diſtribute with impartial juſtice the awards of praiſe or cenſure. Unfortunately for the memory of Lord Shafteſbury, the moſt eloquent hiſtorian of the age, Mr. Hume, has in relation to him imbibed all the prejudices of preceding writers, in all their virulence and all their abſurdity. His ideas of this celebrated nobleman are indeed evidently and almoſt wholly taken from Biſhop Burnet, low as the authority of that prelate ſtands with him upon moſt other occaſions. But what Mr. Hume remarks of the Duke of Albemarle is at leaſt as true of Lord Shafteſbury, "that Biſhop Burnet, agreeably to his own factious ſpirit, treats this nobleman with great malignity." Mr. Hume has even copied the ridiculous notion of the Biſhop, that Lord Shafteſbury was addicted to judicial aſtrology. Lord Shafteſbury is known to have entertained a diſlike and contempt of Burnet, and, poſſeſſing a ſtrong turn for humor, in order to avoid ſerious diſquiſition, he might poſſibly divert himſelf at times with the Biſhop's curioſity and credulity. At the period of the Reſtoration, few perſons ſtood higher in the eſteem of the Nation at large than Sir Anthony Aſhley Cooper; and though decidedly of opinion, in oppoſition to General Monk, that conditions ought to have been propoſed for the ſecurity of public liberty, the King, nothing offended at his warmth of patriotiſm, even before his coronation created him a Peer by the title of Lord Aſhley. And in the preamble to his patent, the Reſtoration is expreſsly ſaid "to be chiefly owing to him; and that after many endeavors to free the Nation from the evils in which it was involved, he at length by his wiſdom and councils, in concert with General Monk, delivered it from the ſervitude under which it had ſo long groaned." He was alſo made Governor of the Iſle of Wight, Chancellor of the Exchequer, and Lord Lieutenant of the County of Dorſet: and he had, in conjunction with three other perſons his intimate friends, a grant of the great eſtate of the Wallop family, which they afterwards nobly reconveyed to the original proprietors—the deeds of truſt and conveyance being ſtill extant.

* Vide p. 12.

Notwithſtanding

Notwithſtanding the appointment of Lord Clarendon as Firſt Miniſter, it is perfectly well aſcertained, though too ſuperficially paſſed over by Mr. Hume, that the Council were greatly divided in political opinion; and that the harſh, bigoted, and arbitrary meaſures of that nobleman were invariably oppoſed by the Lords Aſhley, Robarts, Mancheſter, Holles, Anneſley, Secretary Morrice, &c. and even at times by the Lord Treaſurer Southampton himſelf, the noble friend of Clarendon, and who was alſo, to the chagrin of the Chancellor, not leſs intimately connected with Lord Aſhley. The Earl of Clarendon was ſupported by the Duke of York and the whole French intereſt, which on the other hand the Chancellor eſpouſed with ſtrong and dangerous predilection; as the negotiations of the Count d'Eſtrades evince beyond all controverſy. On the diſgrace of this Miniſter A. D. 1667, a new ſyſtem was adopted; the French and High Church influence ſeemed at an end; the Triple Alliance was concluded; mild and equitable meaſures were recommended from the Throne to the Parliament; they were exhorted by the King, "ſeriouſly to think of ſome courſe to beget a better union and compoſure among his Proteſtant ſubjects in matters of religion, whereby they might not only be induced to ſubmit quietly to his government, but alſo cheerfully give their aſſiſtance to the ſupport of it." And the horrible tyranny practiſed, under the ſanction of Clarendon, in Scotland, was checked by a royal letter addreſſed by the King to the Scottiſh Council, importing "that another way of proceeding was neceſſary for his ſervice." This ſyſtem continued for near three years, to the great advantage of the Nation, and the proportionate indignation of the Duke of York and of the whole French and Popiſh faction; through whoſe fatal influence the King, ever wavering between the two parties, was at length induced to adopt new counſels and new meaſures. Agreeably, however, to his refined and cautious policy, he ſtill retained and treated with great demonſtrations of regard divers of the moderate and popular leaders, amongſt whom by far the moſt diſtinguiſhed was Lord Aſhley, who was well known by the Duke of York to be inveterate in his averſion, and inflexible in his oppoſition, to him and his deſigns. Nor is it any juſt ſubject of reproach to Lord Aſhley, when ſuch men as Holles, Anneſley and Robarts remained in office, that he did not immediately quit his connections with the Court. Undoubtedly he flattered himſelf that, by a partial and external compliance with the meaſures of the Sovereign, he and his friends might eventually recover their aſcendency. With this view he accepted, with the title of Shafteſbury, of the cuſtody of the Great Seal; not ſurely with a deſign of promoting, but of counteracting, the projects of the CABAL. He was entering, as he well knew, into a ſcene, not of political harmony, but of diſcord and confuſion. Writing ſeveral months before to his friend Sir William Morrice, late Secretary of State, who had retired from public life, he ſays, "The Lapland knots are untied, and we are in horrid ſtorms." It is true that Buckingham and Lauderdale, who had originally profeſſed themſelves inimical to the meaſures of the Court, now yielded a paſſive and abject ſubmiſſion to it. But this was ſo far from being true, or even ſuſpected, of the Earl of Shafteſbury, that he embraced a very early opportunity after his appointment as Chancellor, by an incident trivial indeed in itſelf but deciſive in its effect, to demonſtrate that he was irreconcileably at variance with the York and Popiſh faction. The Duke of York had been for ſeveral years accuſtomed to place himſelf, in the Houſe

of

of Peers, on the right hand of the throne, upon the ſeat appropriated to the Prince of Wales. But on the opening of the ſeſſion in the ſpring of 1673, Lord Shafteſbury, as Chancellor, refuſed to proceed to buſineſs till his Royal Highneſs had removed himſelf to his proper place on the left hand of the throne. This threw the Duke into a vehement paſſion, an infirmity to which he was extremely ſubject; and he refuſed compliance in the moſt provoking language, uſing, without regard to dignity or decorum, the opprobrious terms *villain* and *raſcal*. To which Lord Shafteſbury, with that command of temper and readineſs of retort for which he was celebrated, calmly replied, "I am obliged to your Highneſs for not alſo ſtyling me Papiſt and coward." In concluſion the Duke was compelled to ſubmit, to his unſpeakable chagrin and mortification.

When the Parliament had declared their diſapprobation of the new ſyſtem, upon which Lord Shafteſbury doubtleſs depended for a change of meaſures, without effect; this nobleman thought it neceſſary to expreſs publicly his concurrence with the ſenſe of Parliament, particularly in relation to the Declaration of Indulgence. In the ſame memorable debate, Lord Clifford defended the Court meaſures with the moſt intemperate vehemence. At the termination of it, the Duke of York is ſaid to have whiſpered to the King, "What a rogue have you of a Lord Chancellor!" to which the King replied, "What a fool have you of a Lord Treaſurer!" But the King, if ſurpriſed, was not enraged at the conduct of Shafteſbury. On the contrary, anxious to preſerve that ſort of balance in his Councils on which he ſecretly relied for refuge and ſafety, and placing the higheſt confidence in the talents of this nobleman, he immediately gave indications of a change of ſyſtem, by cancelling the Declaration, and giving his aſſent to the Teſt Act, which Lord Shafteſbury ſupported in the Houſe of Lords, in oppoſition to Clifford, with ſuch energy of argument and ſplendor of eloquence, that Andrew Marvel, ſo famous for his own political integrity, obſerves, "Upon this occaſion it was that the Earl of Shafteſbury, though then Lord Chancellor of England, yet engaged ſo far in defence of that Act and of the Proteſtant religion, that *in due time* it coſt him his place, and was the firſt moving cauſe of all thoſe miſadventures and obloquy which he ſince lies under." In his excellent ſpeech to the new Lord Treaſurer Danby, June 1673, on his taking the oaths before him in the Court of Chancery, he remarks, no doubt with a ſtrong feeling of the difficulties of his own ſituation, "that the addreſs and means to attain great things are oftentimes very different from thoſe that are neceſſary to maintain and eſtabliſh a ſure and long poſſeſſion of them." Lord Shafteſbury continued to be much conſulted and careſſed by the King during the whole interval which elapſed between the receſs of Parliament on the 29th March, and its next meeting, late in October. But though the King was prevailed upon to re-aſſemble the Parliament at this juncture, adverſe counſels again predominated in his ever fluctuating mind; and Lord Shafteſbury was aſſured that he meant to diſſolve the Parliament, to renew his connections with France, to continue the Dutch war, and to permit the marriage of the Duke of York with the Princeſs of Modena. That nobleman then took his final reſolution; and by the language which he uſed at the commencement of the ſeſſion he ſhewed how little he was diſpoſed to keep

keep any meaſures with the Court. After finiſhing the ſpeech which he delivered *ex officio* and by command, he expreſſed, contrary to the eſtabliſhed cuſtom, and to the indignation of the Popiſh Junto, "his own hearty wiſhes and prayers that this ſeſſion might equal, might exceed the honor of the laſt—that it might perfect what the laſt begun, for the ſafety of the King and Kingdom—that it might be for ever famous for having eſtabliſhed upon a durable foundation our religion, laws, and properties." Shortly after he told the King, "that, though he was deeply ſenſible of the perſonal obligations he owed him, he was no longer able to ſerve him—that, had his advice prevailed, he would have engaged his life and fortune to have made him the moſt beloved and powerful prince in Chriſtendom; and that, ſeeing him in the hands of a party ſo contrary to the intereſts he had been always contending for, he was ſatisfied the King's next ſtep muſt be to ſend for the Great Seal." The King ſeemed much affected, and promiſed never to forſake him or the Proteſtant intereſt; but would not be diſſuaded from his purpoſe of diſſolving, or at leaſt proroguing, the Parliament after a ſeſſion of a few days. Lord Shafteſbury predicted the dangerous conſequences of this ſtep, and the irreparable breach it muſt create between the King and the Nation. But Charles was immoveable; and inſtigated by the Duke of York and the Popiſh faction, he ſent, as Shafteſbury was prepared to expect, Secretary Coventry to demand the Seal November 9th 1673. "The ſame day," as we are informed by Dr. Kennet, "he was viſited by Prince Rupert and moſt of the Peers and perſons of quality about the town, who acknowledged that the Nation had been obliged to him for the juſt diſcharge of the truſt that had been repoſed in him, and returned him their thanks."

But juſtice to the memory of Lord Shafteſbury requires, that the confuſed and invidious ſtatements of Mr. Hume ſhould be more cloſely inveſtigated, in order to manifeſt the utter incompetency of that celebrated hiſtorian to paſs a judgment upon this nobleman's character and conduct. Mr. Hume affirms, after Burnet indeed, that Sir Orlando Bridgeman was removed from his office for refuſing to affix the Great Seal to the Declaration of Indulgence, and intimates that Shafteſbury was made Chancellor for that very purpoſe; whereas Sir Orlando Bridgeman continued in poſſeſſion of the Great Seal eight months after the Declaration was ſigned, ſealed, and publiſhed, i. e. from the 15th of March to the 17th November 1672, and was then, as ſtated in the Official Notice, "permitted to reſign on account of his great age and infirmities."

Mr. Hume aſſerts, after Burnet, that Lord Shafteſbury ſuggeſted to Clifford the infamous advice of ſhutting up the Exchequer; although theſe ſtateſmen were at this very time inveterate political adverſaries. And there is extant a paper of objections, admirably penned, left by Lord Shafteſbury with the King, againſt that violent and iniquitous meaſure; and alſo a letter of the ſame nobleman, in which, adverting to this report, he ſtyles it "fooliſh as well as falſe. If any man conſider," ſays he, "the circumſtance of the *time* when it was done, and that it was the *prologue* of making Lord Clifford Lord High Treaſurer, he cannot very juſtly ſuſpect me of the counſel for that buſineſs, unleſs he thinks me at the ſame time

out of my wits." And the Duke of Ormond, a man of honor, though of the Clarendon or York party, was heard to declare "his wonder why people accuſed Lord Aſhley of giving that advice; for he himſelf was preſent when it was firſt moved by Lord Clifford, and he heard Lord Aſhley paſſionately oppoſe it."

Mr. Hume tells us, that in the famous ſpeech made by Lord Shafteſbury as Chancellor in the Spring ſeſſion of 1673, he enlarged on the topics ſuggeſted by the King, and added many extraordinary poſitions of his own. This is extremely inaccurate. According to the faſhion of the times, the ſpeech delivered by the Chancellor in the King's name was conſidered as the King's ſpeech, and was previouſly agreed upon in Council as part of it. Lord Shafteſbury expreſſed in ſtrong terms to his friend the famous Locke his uneaſineſs at the part which he was thus compelled to act, particularly noticing the obnoxious phraſe "delenda eſt Carthago." And M. Le Clerc remarks upon the occaſion, "that thoſe (in Holland) who did not know the Chancellor ſpoke only *ex officio*, conceived a bad opinion of him*." The Earl of Clarendon had in the ſame manner vindicated, *ex officio* and in his capacity of Chancellor, the firſt Dutch war, which he had previouſly and vehemently oppoſed in the Cabinet, without any imputation upon his political integrity; and why ſhould there be one ſtandard of rectitude for Clarendon and another for Shafteſbury? The apology for both muſt be found in Lord Shafteſbury's own weighty remark in his addreſs, already quoted, to the Earl of Danby.

Mr. Hume's narrative evidently implies, if it does not expreſsly affirm, that Lord Shafteſbury abandoned the Court *becauſe* the King, intimidated by the Commons, had cancelled the Declaration; whereas the King had as yet given no tokens of an intention to recede from the Declaration; and Lord Clifford had vindicated it in high and lofty terms, calling the vote of the Houſe of Commons "monſtrum horrendum, ingens!" when Lord Shafteſbury aroſe, and ſaid he muſt differ *toto cælo* from the noble Lord who ſpoke laſt. And then followed his famous ſpeech in condemnation of the Declaration. The King, urged by the Commons, unſupported by the Lords, and alarmed at the defection of his moſt popular Miniſter, ſhortly after broke the ſeal with his own hand, March 7th; and the next day Lord Shafteſbury, with the King's leave, reported it to the Houſe of Lords.

"Never," ſays Mr. Hume, "was turn more ſudden, or leſs calculated to ſave appearances. Immediately he entered into all the cabals of the Country party, and diſcovered to them, perhaps magnified, the arbitrary deſigns of the Court, in which he himſelf had borne ſo deep a ſhare." But this is mere hiſtorical romance. Lord Shafteſbury had never relinquiſhed his connections with the Country party, the leaders of which, Lyttelton, Powle, Ruſſel, &c. were his particular friends;—and he was never accuſed or ſuſpected by the patriots in the Houſe of Commons of any deſign inimical to the liberties or intereſts of his country. On the other hand, if the King conceived his conduct to be as baſe and treacher-

* Bibliotheque Choiſie, tome vi.

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ous as Mr. Hume repreſents it, how is his continuance in office for the ſpace of nine months after this period to be accounted for? And why was he at laſt diſmiſſed, as the High Church hiſtorian Echard himſelf relates, with ſuch unuſual marks of reſpect and regard? But truth is always conſiſtent with itſelf; and the fact beyond all poſſibility of rational denial is, that Lord Shafteſbury had uniformly oppoſed the French ſyſtem with all the weight of his influence and eloquence. By the force of his arguments the King had been often induced to ponder and to heſitate; and that he acted TREACHEROUSLY, is an aſſertion not only void of proof, but contrary to the whole tenor of evidence. In reality, Lord Shafteſbury carried higher than almoſt any man his ideas of honor as a politician and ſtateſman. Mr. Hume himſelf allows, but that is indeed at the diſtance of ſome pages, "that he maintained the character of NEVER betraying thoſe friends whom he deſerted." In a letter written to the King ſome years ſubſequent to this period, he ſays, in reference to the early events of his life, "I *never* betrayed, as your Majeſty *knows*, the party or counſels I was of." He rather choſe to lie under the imputation of adviſing the meaſure of ſhutting up the Exchequer, than to reveal the King's counſels confidentially entruſted to him. "I ſhall not deny," ſays the Earl in the letter before quoted, "but that I knew earlier of the counſel, and foreſaw what neceſſarily it muſt produce perhaps ſooner than other men; but I hope it could not be expected by any who do in the leaſt know me, that I ſhould have diſcovered the King's ſecrets, or *betrayed* his buſineſs, whatever my thoughts were of it." And when, in avowed oppoſition to the Court, ſeveral years afterwards he made ſome ſevere reflections on the then Lord Chancellor Nottingham, that nobleman aroſe in great heat, and "thanked God that, whatever his errors might be, he was not the man who had projected the ſecond Dutch war, who had promulgated the Declaration of Indulgence, who had adviſed the ſhutting up of the Exchequer." The Earl of Shafteſbury with the utmoſt calmneſs obſerved, in anſwer to theſe implied charges, that there were then in the Houſe ſeveral Lords who were in the ſecret of his Majeſty's counſels at the period alluded to—he would accuſe none, but he appealed to all whether *he* was the author or the adviſer of the meaſures in queſtion." A profound ſilence enſued; and Lord Arlington, going up to the King, who was himſelf preſent in the Houſe, remarked to him the generoſity of Lord Shafteſbury, and the indiſcretion of the Chancellor. And upon this the King rebuked the Chancellor for meddling with the ſecrets of the Council in ſo public a place; and told him "he knew nothing of thoſe matters."

So much for the charge of treachery.—Upon other ſimilar accuſations of the Hiſtorian it is unneceſſary to dwell. If, as Mr. Hume aſſerts, "Lord Shafteſbury had ſurmounted all ſenſe of ſhame, if he was not ſtartled at enterpriſes the moſt hazardous, if he was a man of inſatiable ambition;"—why did he not ſteadily perſevere in the Court ſyſtem? Had the Oppoſition any thing better to offer him than the Great Seal of England?

This nobleman is ſtigmatized by Mr. Hume, as at the ſame time under the dominion of furious and ungovernable paſſions, and practiſing the inſidious arts of a deep and deſigning demagogue. But theſe oppoſite characteriſtics are equally remote from the truth. He had

an extraordinary command of temper upon the moſt trying occaſions; and his ſpeeches, though bold and ardent, are not declamatory, but acute, ſagacious, and argumentative. He equally diſdained to diſguiſe his own ſentiments in complaiſance to the Prince or to the People. "I do not know," ſaid he upon a certain occaſion (A. D. 1679) in the Houſe of Lords, "how well what I have to ſay may be received; for I never ſtudy either to make my court or to be popular. I always ſpeak what I am COMMANDED by the dictates of the SPIRIT WITHIN ME."

In the high ſtations which he filled, his virtues, if we will give any credit to the teſtimonies of his cotemporaries, were as conſpicuous as his talents. His renown was extended far beyond the limits of his native country. On his advancement to the Chancellorſhip, M. Cronſtrom, a Swede of high diſtinction, who had been Reſident in England, wrote his congratulations. "This preferment and dignity, my Lord," ſaid he, "was due long ſince to your high merits; and I do humbly aſſure your Excellency, it is generally believed here, the intereſt of this and your nation will flouriſh under the wiſe conduct of ſuch a renowned Chief Miniſter of State as you are." Though not bred to the profeſſion of a lawyer, none of his decrees in Chancery were ever reverſed; and amidſt the violence and madneſs of party rage, Dryden himſelf, in his famous political ſatire of Abſalom and Ahitophel, could not refuſe to pay a tribute of praiſe to the moral and judicial integrity of his character:

"In Iſrael's court ne'er ſat an Abethdin
With more diſcerning eyes and hands more clean:
Unbrib'd, unſought, the wretched to redreſs,
Swift of diſpatch, and eaſy of acceſs."

Farther, Mr. Hume is pleaſed to inform us, "that Lord Shafteſbury was reckoned a deiſt;" although incontrovertible evidence remains, that this nobleman was a firm believer in Chriſtianity according to the moſt rational ſyſtem of Proteſtantiſm, for which he even declared, in a very memorable debate in the Houſe of Lords on the Non-reſiſtance Bill (1675), his readineſs to ſacrifice his life. And upon this occaſion King Charles, who was himſelf, according to his frequent practice, preſent in the Houſe, declared "that Shafteſbury knew more law than all his Judges, and more divinity than all his Biſhops."

It would extend this digreſſive diſſertation too far, to trace the miſrepreſentations of Mr. Hume relative to the conduct of Lord Shafteſbury ſubſequent to his reſignation of office, and public junction with the Oppoſition, of which he was immediately acknowledged as the head. It muſt ſuffice to ſay, that the Hiſtorian exhibits a character incongruous, incredible, impoſſible——"a character from no one vice exempt," yet the object of univerſal affection and veneration—not the veneration of the maſs of the people merely, but of the beſt and wiſeſt men of the age and country in which he lived—an Eſſex, an Holles, a Ruſſel and a Sydney. And to the injurious reproaches of Mr. Hume may with infinitely preponderating advantage be oppoſed the diſcriminating applauſe of the celebrated LOCKE, founded on long and intimate knowledge; who ſays of this nobleman, "that in all the variety of changes

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of the laſt age he was never known to be either bought or frighted out of his public principles." And M. Le Clerc tells us, "that, to the end of his life, Mr. Locke recollected with the greateſt pleaſure the delight which he had found in the converſation of Lord Shafteſbury; and when he ſpoke of his good qualities, it was not only with eſteem, but with admiration *."

When at length reduced to the neceſſity of taking refuge in Holland, he was received by the Republic, which according to his enemies he had labored to ſubvert, with the higheſt honors. On his arrival at Amſterdam, he was viſited by ſeveral of the States and perſons of diſtinction, one of whom ſmiling remarked, "My Lord, nondum eſt deleta Carthago." They told him they were ſenſible his ſufferings were for the Proteſtant cauſe, that he had been their real friend, and that he had no enemies but who were theirs likewiſe. They aſſured him of their conſtant protection, and ordered his portrait to be hung up in their public room. On his death, which happened ſhortly after, they put themſelves into mourning. Even the ſhip which conveyed his body to England, was adorned with ſtreamers and ſcutcheons, and the whole apparatus was, by an expreſs decree of the States, exempted from the payment of tolls, fees and cuſtoms †. On the ſubſequent landing at Poole in Dorſetſhire, it was met by a cavalcade of the principal gentlemen of the county, who attended the proceſſion to his antient ſeat of Winborne, where, after all his political conflicts, he repoſed from his labors, and received a peaceful and honorable interment.

Some of theſe particulars are extracted from original materials not yet made public, but which will probably appear at no very diſtant interval. The remaining information, and much more to the ſame effect, was within the reach of every writer poſſeſſed of competent diligence, and not diſdaining the dull labor of reſearch. But the fine pictures of Mr. Hume are too often little better than fancy-pieces.

* Bibliotheque Choiſie, tome vi.

† Bibliotheque Choiſie, tome ii.

HISTORY

HISTORY

OF

GREAT BRITAIN.

BOOK I.

K. WILLIAM III.

Illuſtrious Character of K. William. State of Political Opinions. Appointment of the New Miniſtry. Convention converted into a Parliament. Oaths of Allegiance and Supremacy refuſed by eight Biſhops. Cabals of the Non-jurors. Proceedings of Parliament. Bill of Rights. Bill of Indemnity. Act of Toleration. Bill of Comprehenſion. Proceedings of the Convocation. Affairs of Scotland. Crown of Scotland declared forfeited by King James—and conferred on K. William. Exploits of Viſcount Dundee. Highlanders deſcribed. State of Europe. League of Augſburg. War declared by England againſt France. Generous Reception of K. James by Louis XIV. Invaſion of Ireland by the French. Treachery of Tyrconnel. K. James makes his Entry into Dublin. Battle of Bantry Bay. Pretended Parliament of Ireland convened by K. James. Act of Settlement repealed. Memorable Reſiſtance of Londonderry. Unproſperous Campaign under M. Schomberg. Seſſion of Parliament. Corporation Bill. Parliament diſſolved. Proclamation againſt General Ludlow. Meeting of the New Parliament. Conflict of Parties. Act of Grace. Triumph of the Tories. King embarks for Ireland.

land. Victory of the Boyne. K. James abandons Ireland. Succeſſes of K. William. Siege of Athlone raiſed—and of Limerick. King returns to England. Earl of Marlborough captures Cork and Kinſale. Command devolves on General Ginckel. Athlone taken. Victory of Aghrim. Capitulation of Limerick. Queen conſtituted Regent—Her amiable Character and diſcreet Conduct. Naval Defeat off Beachy Head. Seſſion of Parliament. Lord Godolphin appointed Firſt Commiſſioner of the Treaſury. His Character. King embarks for the Continent. In danger of Shipwreck. Congreſs at the Hague. Conſpiracy againſt the Government. Execution of Aſhton. Deprivation of the Non-juring Biſhops. Campaign in Flanders, &c. 1691. *Character of the Emperor Leopold. Death of Pope Innocent XI. Seſſion of Parliament. Unpopularity of the King. Affairs of the Eaſt India Company. Diſgrace of the Earl of Marlborough. Intrigues carried on with the Court of St. Germaine's. Prince and Princeſs of Denmark ceaſe to appear at St. James's.*

BOOK I.

1689.

Illuſtrious character of King William.

THERE are few princes in antient or modern times who have acted a more conſpicuous or important part on the great theatre of the world, than King WILLIAM. Scarcely had he attained to the age of complete manhood, when he was called upon by the united voice of his countrymen to reſcue them from the dangers of an invaſion which had nearly ſubverted the Republic. When their apprehenſions had reduced them to the loweſt ebb of deſpondency, he awakened the drooping genius of the Commonwealth; and Holland, under the auſpices of a Prince of the houſe of Orange, quickly re-aſſumed her courage and re-eſtabliſhed her power. When theſe nations were threatened with the dreadful proſpect of popery and ſlavery, this Prince was again invoked for aid and aſſiſtance; and, accompliſhing with unparalleled happineſs and ſucceſs the glorious and immortal work of their deliverance, was rewarded with that crown which fell from the head of the abdicated tyrant. During the concluding years of his life, he was univerſally conſidered as the great bulwark of the liberties of Europe endangered by the pride and the power of Louis XIV, to whoſe vaſt

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and unprincipled projects of ambition he oppoſed, in that grand alliance of which he was the former and the head, an inſurmountable barrier. BOOK I. 1689.

Though the two great political factions had united in their oppoſition to the late King James; and though the Tories, alarmed at the magnitude and imminence of the danger, ſeemed for a time to have abandoned their favorite doctrines of paſſive obedience and non-reſiſtance; in the ſpeculative diſcuſſions which ſucceeded at the meeting of the Convention, they evidently ſhewed a ſtrong tendency to revert to their original principles, or at leaſt a ſtrong reluctance to depart from them farther than the neceſſity of the caſe abſolutely demanded. Though they acknowledged the King therefore to be incapable of government, they could by no means reconcile their minds to the idea of an actual depoſition; but, as in former caſes of incapacity ariſing from nonage or mental imbecility, they propoſed the appointment of a Regent veſted with kingly power. To this plan the Whigs, who conſtituted a great majority of the Lower Houſe of Convention, were determined, for obvious and importan reaſons, not to accede. But wiſely endeavoring to accommodate thei more dignified and rational ideas in a certain degree to the prejudice of their new aſſociates, they paſſed an unanimous vote, "That King James II. having endeavored to ſubvert the Conſtitution of the Kingdom by breaking the original compact between King and People, and having by the advice of Jeſuits and other wicked perſons, violated the fundamental laws, and withdrawn himſelf out of the kingdom, has *abdicated* the government, and that the throne is thereby vacant." The Tories, however, whoſe influence predominated in the Houſe of Lords, rejected the concluding clauſe, and changed the term *abdicated* for *deſerted*, a word of very different import, as it ſeemed to imply that the right of reſumption ſtill exiſted. Not clearly comprehending that emergencies may ariſe of a nature ſo tranſcendent as to ſuperſede all legal forms and poſitive inſtitutions, and that the eſſence of the Conſtitution is not to be ſacrificed to its external ſanctions, they argued, "that, however great might be the miſconduct of the Government, the law pronounced the King to be in his own perſon exempt from all reſponſibility. The authors and

State of political opinions,

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BOOK I. 1689.

advisers of the illegal measures pursued were indeed deserving of condign punishment; but to the King himself could be imputed not criminality but incapacity merely; and for this incapacity a Regency was the only proper and constitutional remedy. If however the temporary desertion of the government on the part of the King should, by an unprecedented violence of construction, be interpreted into an actual abdication of the regal office, still the right of succession devolved by law upon the infant Prince of Wales, of the legitimacy of whose birth, notwithstanding the rumors propagated for malicious and factious purposes, no rational person entertained the slightest doubt."

These reasonings must have appeared not only plausible, but unquestionably just and equitable, to very many respectable persons, at a period when the true theory of government had been comparatively little studied, and its general principles not as yet perfectly understood or very generally diffused. It is a fact which needs neither disguise nor palliation, that the Revolution, abstractedly considered, was an unquestionable though an illustrious violation of the law. And the established maxims which for the purpose of securing the just and genuine ends of government it was then thought necessary to supersede, are since that æra as sacred and inviolable as before. It is still a principle of the English Constitution, that the King can do no wrong—i. e. to him no criminality can be imputed; that the Legislative Assemblies can exercise no jurisdiction over the Monarch; and that the crown of England is held by hereditary right. But, if former times should roll round again, and any future King of England should dare to conspire against the civil and religious liberties of his subjects, and sacrilegiously to attempt the subversion of the Government; unless the spirit of liberty were totally extinguished in the land, these feeble barriers, calculated merely to protect the Executive Power in the just and fearless discharge of its constitutional functions, would be instantly burst asunder. And if the safety of the Nation demanded that the trophies of public justice should be "raised (to borrow the language of MILTON) on the neck of crowned Fortune proud;" no true patriot would hesitate to applaud the sacrifice: nor would it be

any

any impeachment of conſiſtency to demand, at the ſame moment, the re-eſtabliſhment of thoſe wiſe and ſalutary and conſtitutional maxims from which the moſt urgent neceſſity alone could juſtify any departure*.

The prudence and moderation, and even the magnanimity of the Prince of Orange during the debates of the Convention are juſtly and generally applauded. Perceiving the Houſe of Peers diſpoſed to favor the eſtabliſhment of a Regency, he thought proper, after obſerving a long and profound ſilence, to inform ſome of the leading members of that aſſembly, "that, though he acknowledged their undoubted right to adopt that form of government which to them appeared moſt eligible, he was determined, if a Regency were appointed, not to take upon him the office of Regent—that, if they choſe to ſettle the Crown upon the Princeſs of Orange, he claimed no right of objecting to it, but he would never act a ſubordinate part in the adminiſtration of the Government. In either of theſe caſes, therefore, he would return to Holland, ſatisfied with the glory he had acquired by the ſervice he had been ſo happy as to render them."—This judicious and well-timed declaration put a ſudden termination to the debate: and the two Houſes of Convention came to a final reſolution Feb. 13, 1689, to offer the Crown, in the name of all the People of England, to the Prince and Princeſs of Orange as joint ſovereigns; veſting at the ſame time the ſole adminiſtration of Government in the hands of the Prince. This offer, which was no leſs agreeable to the Princeſs, who indignantly diſclaimed every idea of an intereſt

* The ſuppoſition of law, as Sir William Blackſtone excellently obſerves, is, that neither the King, nor either Houſe of Parliament collectively taken, is capable of doing any wrong; ſince in ſuch caſes the law feels itſelf incapable of furniſhing any adequate remedy; for which reaſon, all oppreſſions which may happen to ſpring from any branch of the Sovereign Power muſt neceſſarily be out of the reach of any ſtated rule or expreſs legal proviſion: but if ever they unfortunately happen, the prudence of the times muſt provide new remedies upon new emergencies. Indeed it is found by experience, that whenever the unconſtitutional oppreſſions even of the Sovereign Power advance with gigantic ſtrides, and threaten deſolation to a State, mankind will not be reaſoned out of the feelings of humanity, nor will ſacrifice their liberty by a ſcrupulous adherence to thoſe political maxims which were originally eſtabliſhed to preſerve it.

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ſeparate from that of her huſband, than to the Prince, was accepted without heſitation; and their Highneſſes were crowned King and Queen of England by the names of WILLIAM and MARY, April the 11th 1689.

Appointment of the new Miniſtry.

The firſt public act of the new reign was a proclamation confirming all Proteſtants in the offices held by them on the 1ſt of December 1688. A new Privy Council was in a few days after nominated, conſiſting chiefly of Whigs. The grand difficulty reſted in the appointment of a new Miniſtry, in the formation of which it would have been highly impolitic entirely to have excluded the Tories, who had taken a very active and zealous part in the late Revolution. The jealous animoſity ſubſiſting between the two State factions began immediately to re-appear; and it was with little ſatisfaction to either that the King at laſt made his final arrangement. The Earl of Danby, a zealous Tory and High-Churchman, who boaſted the ſplendid merit of deviſing and effecting the marriage of the Prince and Princeſs of Orange, and who was one of the ſeven patriots who riſqued their lives and fortunes by ſigning the original invitation to the Prince*, tranſmitted to him through the hands of M. Zuyleſtein, aſpired to the office of Lord High Treaſurer, which he had held during the reign of Charles II. But the King determined to put the Treaſury into commiſſion; and Lord Mordaunt, created Earl of Monmouth, was declared Firſt Commiſſioner. This nobleman, yet in early life, poſſeſſed a moſt extraordinary force and verſatility of talents; and his genius in the ſequel taking a military direction, he attained to the higheſt degree of celebrity under his ſubſequent title by deſcent of Earl of Peterborough. Danby, thus excluded from the Treaſury, was obliged to content himſelf with the poſt of Preſident of the Council and the title of Marquis of Carmarthen. The Earl of Shrewſbury, a man of capacity, of moderation,

* The others were Shrewſbury, Devonſhire, Lumley, the Biſhop of London, Admiral Ruſſel, and H. Sydney. The Earl of Nottingham had been applied to, and had once aſſented to the invitation; but his heart failed him, and (as Sydney wrote to the Prince, June 30,) "he retracted, under pretence of ſcruples of conſcience—though they all concluded it to be another paſſion." He nevertheleſs kept the ſecret inviolate. The Prince of Orange, knowing the ſelfiſh and unprincipled verſatility of Halifax, forbade any poſitive or explicit communication of the deſign to that nobleman.

and

and of probity, whoſe character ſtood high with both parties, was appointed Secretary of State, in conjunction with the Earl of Nottingham a determined Tory, immoveable in his prejudices, grave in his deportment, auſtere in his morals, artful, able and ambitious. This nobleman had refuſed to ſign the invitation to the Prince, but declared himſelf willing to ſhare the reſponſibility as far as concealment would go: and though in the Conventional debates he had vehemently oppoſed the Vote of Abdication, he ſubſequently declared with much plauſibility, "that though he would not make a King, yet upon his principles he could obey him better than thoſe who did." The Marquis of Halifax, a man of wit, genius and eloquence, had conducted himſelf with ſuch duplicity, or, to ſpeak more properly, with ſuch flagrant inconſiſtency, as entirely to loſe the confidence of both parties. He had originally acted with the Whigs, to whom he gave mortal offence by the decided part which he took in oppoſition to the Excluſion Bill, and by ſupporting the flagitious meaſures of the laſt years of Charles II. and the firſt of his ſucceſſor, under whom he held the office of Preſident of the Council. In order to recover his credit with the Whigs, who were now likely to attain a permanent aſcendency, he oppoſed with all the force of his oratory in the Convention the project of a Regency, and even went ſo far as to move that the Prince ſhould be declared King, and the Princeſſes next in ſucceſſion. This propoſition, though immediately negatived, ſo far anſwered his purpoſe as to raiſe him high in the King's favor; but it made him odious to the whole body of the Tories. To him was conſigned the Privy Seal. The Great Seal was put into commiſſion; Maynard, Keck, and Rawlinſon being nominated Commiſſioners. And Sir John Holt, a man of great ability and equal integrity, was declared Chief Juſtice of England. Admiral Herbert, a very popular and reputed a very ſkilful ſeaman, was placed at the head of the Admiralty. The white ſtaves were beſtowed on the Dukes of Devonſhire and Dorſet; the firſt being appointed Lord Steward, and the latter Lord Chamberlain. M. Bentinck, a native of Holland, who had long enjoyed the King's confidence, was advanced to an honorable ſtation in the King's houſehold, and ſoon afterwards created Earl of Portland. Mr. Sydney, brother to the famous

Algernon

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Algernon Sydney, a man of engaging manners and graceful addreſs, was diſtinguiſhed in the new promotions, and in the ſequel advanced to very high offices in the ſtate, and created Earl of Romney. The dioceſe of Saliſbury being at this time vacant by the death of the learned Dr. Seth Ward, the King of his own motion nominated as his ſucceſſor Dr. Burnet, who had embarked on board the Dutch fleet on the late expedition to England, and been an active and zealous inſtrument in accompliſhing the Revolution. This prelate, equally famous in his political and theological capacity, has been deſcribed, not unhappily, as "a man of ſome parts and great induſtry, moderate in his notions of Church diſcipline, inquiſitive, meddling, vain and credulous *"—but, as it ought to be added, honeſt, diſintereſted, and ſincere. An unexpected difficulty occurred in the poſitive refuſal of the Primate Sancroft to conſecrate the new Biſhop: but, as the time approached, dreading the penalties of a Premunire, he granted a commiſſion to the Biſhop of London and three other ſuffragans to exerciſe his metropolitical authority; thus, as Biſhop Burnet with ſome degree of ſpleen remarks, "meanly empowering others to do what he himſelf deemed an unlawful act."

Convention converted into a Parliament.

The firſt reſolution adopted by the new Government was to convert the Convention into a Parliament, that aſſembly being ſuppoſed by many to want a legal ſanction, not having been convoked by the royal writ of ſummons. On propoſing the queſtion in Council, whether it was neceſſary to diſſolve the Convention and to call a new Parliament, the voices were divided; but the Whigs, knowing the inconveniences which would ariſe from a diſſolution, and well ſatisfied with the apparent diſpoſition and complexion of the Commons, were unanimous in their opinions againſt it. The King, in conſequence, went in ſtate to the Houſe of Lords, and, in a ſolemn ſpeech from the throne, recommended to both Houſes to "conſider of the moſt effectual means to prevent the inconveniences which might ariſe from delays in accompliſhing whatever meaſures they might have in contemplation for the good of the Nation." A bill was immediately brought in, and carried rapidly through the Houſe

* Smollet.

of Lords, to remove and prevent all queſtions and diſputes concerning the aſſembling and ſitting of this preſent *Parliament*. But in the Houſe of Commons it excited a warm and intereſting debate. The Tories maintained, with ſome degree of plauſibility, that "if the Convention was in itſelf an illegal aſſembly, its acts could not be legalized by giving it the name of a Parliament—that the King's writ was as neceſſary as his preſence to conſtitute a legal Parliament—that the Convention of 1660 was called by the conſent, if not by the authority, of the lawful King, and when there was no great ſeal in being to affix to the writs; notwithſtanding which it had never been conſidered as a legal Parliament, its acts were ratified in a ſubſequent Parliament, and thence they derived their validity, No conſtitutional power exiſting, therefore, by which the Convention could be converted into a Parliament, they inferred that it muſt of neceſſity be diſſolved, and a new Parliament ſummoned." To this reaſoning the Whigs replied with firmneſs and ſpirit, "that the whole of the proceedings relative to the REVOLUTION now accompliſhed were in a legal ſenſe irregular and anomalous to the eſtabliſhed principles of the Conſtitution; but that eſſentials muſt not be ſacrificed to forms. A King had been dethroned, and another ELECTED, and univerſally acknowledged as a King *de facto* at leaſt, if not *de jure*. Was it then more difficult, or leſs conſtitutional, to acknowledge a Parliament *de facto* than a King *de facto?* The eſſence of a Parliament conſiſted in the meeting and co-operation of the King, Lords, and Commons, whether convoked by writ or by letter. The Prince of Orange's not being King at the time of his iſſuing the letters, was an irrelevant objection; ſince he was then the adminiſtrator of the Executive Government. From a retroſpective view of Engliſh hiſtory it was ſufficiently apparent, that it was never conſidered by our anceſtors as ſo material how the King, Lords and Commons came together, as that they were together. During the impriſonment of Edward II. writs were iſſued for a Parliament in the name of the monarch by the Queen and Prince of Wales; which, being met, depoſed the King, and paſſed a great variety of acts remaining in force without any ſubſequent confirmation. In like manner the Parliament which depoſed King Richard II. was ſummoned by the Duke of Lancaſter,

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Lancaſter, afterwards King Henry IV.; which Parliament, ſo irregularly convened, paſſed divers acts, the legality of which was never queſtioned. As to the confirmation of the acts of the Convention Parliament of 1660 by the ſubſequent Parliament of 1661 convoked by the King's writ, though perhaps politically expedient in order to ſatisfy the ſcrupuloſities of ſome ſceptical theoriſts, it could proceed neither from neceſſity nor propriety; moſt of the acts paſſed in the Convention Parliament having produced their full effect before the ſubſequent Parliament began. Where then was the political prudence or advantage of throwing the kingdom into confuſion by a new election at ſo critical a juncture, to the great delay and hindrance of public buſineſs? And after all, at their next meeting, as to all the eſſentials which conſtitute a true and lawful Parliament, they would gain nothing but what they already poſſeſſed." Theſe arguments happily prevailed; and the Commons agreeing to the Bill, the Convention was from that time called the Parliament: the Act commencing from the day on which the Crown was accepted by the King and Queen.

Oaths of Allegiance and Supremacy refuſed by eight Biſhops.

The 1ſt of March being appointed for taking the Oaths of Allegiance and Supremacy, divers of the diſſatisfied members, chiefly of the Upper Houſe, retired on different pretences into the country. Being at length ſummoned to give their attendance, the Earls of Clarendon, Litchfield, Exeter, with a few other Temporal Lords, continued contumacious; and no leſs than eight of the Biſhops, including the Primate Sancroft, a man of unblemiſhed morals, of great learning and integrity, and of much paſſive fortitude—but in his public capacity weak, wavering, and puſillanimous. Though he had joined with the other Peers and Privy Counſellors in inviting the Prince of Orange to take the adminiſtration of the Government upon him, he refuſed to pay his compliments of congratulation at St. James's on his ſubſequent arrival. When the Convention met, he came not to take his place among them—reſolving to act neither for nor againſt the intereſts of King James: and though he himſelf refuſed the oaths, he cautiouſly avoided taking any ſteps, by acting or ſpeaking, to deter others from ſuch compliance. The example of the Biſhops was followed by many individuals amongſt the inferior clergy, who were in

conſequence

conſequence deprived of their benefices; though by far the greater number ſubmitted to the oaths enjoined, but with ſuch limitations and mental reſervations as redounded very little to the honor of their integrity. The recuſant Prelates * were at firſt ſuſpended from their epiſcopal functions, and it was not till after an interval of more than a year the vacant Sees were filled with men of more liberal principles; the new metropolitan Dr. Tillotſon, in particular, ſuſtaining a very high character for moderation, wiſdom, candor and probity. The deprived Archbiſhop Sancroft retired to a ſmall paternal eſtate in Norfolk, cultivating, as we are told, his garden with his own hands, and enjoying in peace and privacy the ſplendid ſacrifices he had made at the ſhrine of rectitude and conſcience.

Cabals of the Non-jurors.

The faction of the Non-jurors, and many who had taken the oaths to the Government, were quickly diſcovered by intercepted letters to be engaged in ſecret practices againſt it. The Earl of Arran, Sir Robert Hamilton and others were committed to the Tower, and a bill paſſed both Houſes ſuſpending the Habeas Corpus Act—for the firſt time ſince that famous law, the bulwark of the Engliſh Conſtitution and of the perſonal liberty of Engliſhmen, was enacted. A ſpirit of mutiny alſo at this period broke out in the army; and the Royal Scotch regiment of horſe and that of Dumbarton, having declared for King James, began their march from South Britain to Scotland; but were purſued by General Ginckel, and compelled to ſurrender at diſcretion. This incident gave riſe to a bill, now become annual, for puniſhing mutiny and deſertion, forming in its preſent ſtate a complete military code, under the ſanction of which the formidable ſtanding army of Britain is diſciplined and governed.

* The non-juring Biſhops were Sancroft, of Canterbury; Turner, of Ely; Lake, of Chicheſter; Ken, of Bath and Wells; White, of Peterborough; Lloyd, of Norwich; Thomas, of Worceſter; and Frampton, of Glouceſter. The five firſt of theſe were of the number of the ſeven Biſhops ſent to the Tower by King James for refuſing to promulgate the Declaration of Indulgence; thus a ſecond time, and within a very ſhort interval, ſacrificing, though in an ignoble and unworthy cauſe, their intereſt to their ſincerity and integrity.

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1689.

Proceedings of Parliament.

The revenue of the Crown ſettled upon the late King James for life, was declared by the Houſe of Commons to be expired, in contemptuous diſregard of the allegations of the courtiers, who pretended that the revenue had devolved to the preſent King with the crown, as, during the life of King James at leaſt, inſeparably annexed to it. By a very juſt and wiſe regulation, they eſtabliſhed a diſtinction between the ordinary and extraordinary expenditure of the Nation; ſettling by a proviſional act the ſum of 600,000 l. upon the Crown, to defray the neceſſary demands of the Civil Government, under the appellation of the Civil Liſt; and leaving all the remaining ſupplies to be voted upon eſtimate, and appropriated to ſpecific ſervices, ſtated by Miniſters, and approved by the Parliament. This was a political novelty, at which the King was not perfectly pleaſed; particularly as the Civil Liſt itſelf was granted, by a caution perhaps too ſcrupulous, for ſo ſhort a term as one year only: and the bold and innovating ſpirit of the Whigs excited in this and other inſtances ſome degree of umbrage, not to ſay reſentment, in the breaſt of the King*.

With a view to extend his popularity, the Monarch ſignified, in a meſſage to the Commons, his readineſs to acquieſce in any regulations they ſhould think proper to adopt for the ſuppreſſion of *hearth-money*, which he underſtood to be a grievous impoſition on the ſubject; and this tax was in the ſequel aboliſhed, "in order to erect a laſting monument of his Majeſty's goodneſs," to uſe the words of the Act, "in every dwelling-houſe of the kingdom." But the proſpect of this *monument*, according to the obſervation of the celebrated Commentator of the Laws of England, was extremely darkened by the ſubſtitution, in a few years afterwards, of an heavy duty on windows, as an equivalent to that on hearths; and which

* The King declared, "that without a ſettled revenue a King was but a pageant;" and upon another occaſion he ſaid to Biſhop Burnet, "that he underſtood the good of a Commonwealth as well as of a Kingly Government, and IT WAS NOT EASY TO DETERMINE WHICH WAS BEST: but he was ſure the worſt of all governments was that of a King without treaſure and without power." The late King of Pruſſia was more deeply tainted with this political hereſy than King William; for he declared himſelf to Dr. Zimmermann "extremely partial to Republics."

is perhaps little leſs odious or vexatious. In conſequence alſo of the King's recommendation, the Houſe of Commons voted the ſum of 600,000 l. as a compenſation to the States General for the expence incurred by them in fitting out the fleet which waſted the Prince of Orange to the Britiſh ſhore. Another very important meaſure brought forward in the courſe of the preſent ſeſſion, though not carried into full effect till the ſucceeding one, was the converſion of the Declaration of Rights preſented to the King by the two Houſes of Convention, immediately previous to the offer of the Crown, into that memorable law ſo frequently referred to, and ſo juſtly celebrated, under the appellation of the BILL of RIGHTS*. A clauſe

Bill of Rights.

* The declaratory clauſes of this famous Bill are as follow:—"The Lords Spiritual and Temporal, and Commons, &c. as their anceſtors in like caſes have uſually done, for the vindicating their antient rights and privileges, declare

That the pretended power of ſuſpending laws or the execution of laws by regal authority without conſent of Parliament is illegal.

That the pretended power of diſpenſing with laws or the execution of laws by regal authority, as it hath been aſſumed and exercciſed of late, is illegal.

That the Commiſſion for erecting the late Court of Commiſſioners for Eccleſiaſtical Cauſes, and all other Commiſſions and Courts of the like nature, are illegal and pernicious.

That the levying money to or for the uſe of the Crown, by pretence of Prerogative, without grant of Parliament, for longer time or in any other manner than the ſame is or ſhall be granted, is illegal.

That it is the right of the ſubject to petition the King; and all commitments and proſecutions for ſuch petitioning are illegal.

That the raiſing and keeping a ſtanding army within the kingdom in time of peace, unleſs it be by conſent of Parliament, is againſt law.

That the ſubjects, being Proteſtants, may have arms for their defence, ſuitable to their condition, and as allowed by law.

That the election of Members of Parliament ought to be free.

That the freedom of ſpeech or debates and proceedings in Parliament ought not to be impeached or queſtioned in any court or place out of Parliament.

That exceſſive bail ought not to be required, nor exceſſive fines impoſed, nor cruel and unuſual puniſhments inflicted.

That Jurors ought to be duly impannelled and returned, and Jurors which paſs upon men in trials for high treaſon ought to be freeholders.

That all grants and promiſes of fines and forfeitures of particular perſons before conviction are illegal and void.

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clauſe of a very intereſting import was inſerted in this bill, diſabling Papiſts from the ſucceſſion to the Crown—to which the Lords added, or ſuch as ſhould marry papiſts—and abſolving the ſubjects in this caſe from their allegiance.

Bill of Indemnity.

The King was extremely and laudably ſolicitous that an Act of Indemnity, with proper exceptions, ſhould paſs without delay. Jeffries, the infamous Jeffries, was now under cloſe confinement in the Tower; and Wright, who had filled the high office of Lord Chief Juſtice of England, with divers of the late Judges and other State delinquents, were priſoners in Newgate: and from amongſt theſe examples of public juſtice might be made. But good policy evidently required, that the minds of the multitude who had rendered themſelves more or leſs culpable by engaging in the execution of the illegal meaſures of the late reign ſhould be ſet at reſt and conciliated by the lenity and moderation of the preſent Government. This the Whigs, much more in the ſpirit of faction than of patriotiſm, reſiſted, from a deſire to keep their adverſaries ſtill under the laſh, and to eſtabliſh more firmly their own aſcendency. This ungenerous conduct was openly countenanced and encouraged by the Earl of Monmouth, now at the head of the Treaſury, and Delamere, afterwards Earl of Warrington, Chancellor of the Exchequer—to the great diſguſt of the King; into whoſe mind the Earl of Nottingham was aſſiduouſly inſtilling jealouſies and ſuſpicions of the whole Whig party, whom he repreſented as in their hearts republicans and levellers, entertaining deep and dangerous deſigns tending to the ſubverſion of kingly government. Under the ſpecious pretext of the difficulty of making the proper exceptions, and of the encouragement which a general indemnity would afford to the partiſans of the late King, the bill was loſt for the preſent ſeſſion. Modelled

And that for redreſs of all grievances, and for the amending, ſtrengthening and preſerving of the laws, Parliaments ought to be held frequently.

And they do CLAIM, DEMAND and INSIST UPON all and ſingular the premiſes as their undoubted rights and privileges; and that no declarations, judgments, doings, or proceedings to the prejudice of the People in any of the ſaid premiſes ought in any wiſe to be drawn hereafter in conſequence or example.

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as it was by the Whigs, it bore indeed more the appearance of a bill of puniſhment than of pardon; for it compriſed no leſs than twelve general heads of exception, including a vaſt number of individuals. Amongſt thoſe ſpecified by name were the Chief Juſtices Herbert and Wright, the Lords Jeffries and SUNDERLAND*, the Biſhops of Durham, Cheſter, &c. Lord Warrington himſelf informs us, "that the party moſt affected by the bill retarded their proceedings by throwing ſtumbling-blocks from time to time in their way"—thinking, no doubt, that their peril would be in no wiſe diminiſhed, but on the contrary greatly increaſed, by ſuch an act of grace and favor as this. Such was the terrific latitude of the bill, that it was compared to ſailing in an illimitable ocean without a compaſs —to wandering in an immenſe foreſt which no ſunbeam could penetrate.

Act of Toleration.

Of all the tranſactions of the preſent memorable ſeſſion of Parliament, next to the Bill of Rights, the meaſure moſt intereſting to poſterity, and the effects of which have been moſt viſible and permanent, was the famous Act of Toleration; an Act perfectly conſonant to the views, and which may indeed be ſaid to have originated in the liberal, juſt, and generous diſpoſition, of the King. The Church and the more reſpectable part of the

* After the Revolution, the Earl of Sunderland, knowing how obnoxious he had made himſelf by his public conduct, and not daring to truſt to his ſecret ſervices, had thought it expedient to take refuge in Holland. And from Amſterdam he wrote a letter to King William, dated March 8th (1689), in which he ſays, "If I had not followed the advice of my friends rather than my own ſenſe, I ſhould not have been out of England at this time: for I thought I had ſerved the public ſo importantly in contributing what in me lay towards the advancing of your glorious undertaking, that the having been in an odious Miniſtry ought not to have obliged me to be abſent. But nothing makes me repine ſo much at it as that I could not give my vote for placing your Majeſty on the throne."—And in a ſubſequent letter, March 11th, this nobleman ſays, "However unfortunate my preſent circumſtances are, I have this to ſupport me, that my thoughts as well as actions have been, are, and I dare ſay ever will be, what they ought to be to your Majeſty.—Long before your glorious undertaking, I cannot but hope you remember how devoted I was to your ſervice." The diſſimulation of Sunderland, upon which he values himſelf thus highly, was ſo profound as completely to impoſe on the ſagacity of M. Barillon, who on the 5th January 1688 writes to the King of France, "that he has diſcovered nothing which can make the ſuſpicion of a ſecret

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the Diſſenters having united in their oppoſition to the deſpotic proceedings of the late reign, notwithſtanding the inſidious means uſed to conciliate the Non-conformiſts, and to make them inſtrumental to the deſigns of the Court; they were flattered by the heads of the Church with the hope not merely of a general toleration whenever a favorable period ſhould arrive, but of a liberal comprehenſion by rendering the terms of conformity leſs rigorous. The King had given a ſtriking proof of his own freedom from religious bigotry, when, in his ſpeech to the two Houſes on paſſing the Habeas Corpus Act, he took occaſion to expreſs "his hope, that in providing againſt Papiſts they would leave room for the admiſſion of *all Proteſtants* who were willing and able to ſerve. And he affirmed that ſuch a conjunction would unite them the more firmly amongſt themſelves, and ſtrengthen them againſt their common adverſaries." Accordingly, when the bill for abrogating the old and appointing the new oaths was brought forward, a clauſe was inſerted to remove the neceſſity, as to Proteſtants, of taking the ſacramental teſt as a qualification for office; which, though ſtrongly ſupported by the leaders of the Whigs, particularly by the Marquis of Halifax, who now aſpired to the

ſecret connection between that nobleman and the Prince of Orange to be believed." And a large pecuniary gratification, excluſive of his *penſion*, was at this time granted to Sunderland by the Court of Verſailles in reward of his good ſervices. So late as the month of September 1688, Barillon writes of Sunderland, "Ce miniſtre paroit perſuadé que le Prince d'Orange n'oſera entreprendre une deſcente." On the 6th of November Barillon, on the repeated applications of Sunderland, who told him he ſhould be ruined if the Prince of Orange ſucceeded, promiſed to this traitor-friend a ſafe retreat in France." How far Sunderland at any period entered with ſerioufneſs and ſincerity into the wild and extravagant projects of the Court, it is difficult to aſcertain. The Earl of Dartmouth relates, in his Notes on Biſhop Burnet's Hiſtory, that Lord Sunderland declared publicly at his own table, that they were NOW, i. e. after the violences practiſed upon the corporate boroughs, *ſure of their game*; for it would be an eaſy matter to have an Houſe of Commons to their minds; and there was nothing elſe to reſiſt them. Lord Bradford aſked him if they were as ſure of the Houſe of Lords; for he believed they would meet with more oppoſition there than they expected. Lord Sunderland, turning to Lord Churchill, who ſat next him, in a ludicrouſly contemptuous tone exclaimed, "O Cilly! why, your troop of guards ſhall be called to the HOUSE OF LORDS."

diſtinction

diſtinction of head of the Whig party, was ultimately negatived. A proteſt framed in terms remarkably ſpirited was ſigned by the Lords Delamere, Wharton, Mordaunt, &c. againſt the rejection of this clauſe, in which they declare "that a hearty union amongſt Proteſtants was a greater ſecurity to Church and State than any teſt that could be invented; and that a greater caution ought not to be required from ſuch as were admitted into offices, than from the members of the two Houſes of Parliament, who are not obliged to receive the ſacrament to enable them to ſit in either Houſe." And in a ſecond proteſt it is affirmed to be "hard uſage to exclude from public employments men fit and capable to ſerve the public, for a mere ſcruple of conſcience, which could by no means render them ſuſpected, and much leſs diſaffected to the preſent Government; that to ſet marks of diſtinction and humiliation on any ſorts of men who have not rendered themſelves juſtly ſuſpected to the Government, as it is at all times to be avoided by the making juſt and equitable laws, ſo might it be of ill effect to the Reformed intereſt at home and abroad in this preſent conjuncture, which ſtood in need of the united hearts and hands of all Proteſtants." In order to conciliate the Tories, the King was willing and even deſirous to mitigate the ſeverity of the bill, by veſting a diſcretionary power in the Crown to diſpenſe with the oaths in reſpect to the Eſtabliſhed Clergy, who were for the moſt part notoriouſly inimical to the preſent Government. In vindication of which proviſion, it was ſaid, "that in former changes of government oaths had not proved ſo effectual a ſecurity as was imagined. Diſtinctions were found out, and ſenſes put upon words by which they were interpreted ſo as to ſignify but little when a Government came to need ſtrength from them. The acquieſcence of the Clergy muſt be preſumed from the uſe of the liturgical forms. If that formidable body were reduced to the hard neceſſity of taking theſe oaths, or of reſigning their preferments, there was indeed little doubt of a general compliance: but far from producing any beneficial effect, it would only tend to inflame their minds and to confirm their animoſity. It was alſo remarked, that during Queen Elizabeth's long and glorious reign, in which ſhe had to guard both againſt the pretended title of the Queen of Scots and the depoſing power of

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the Pope, this was the mode adopted; and it was found by experience, that to leave the tendering of oaths to the Queen's diſcretion was the moſt effectual way of preſerving the public ſafety and tranquillity." As the intemperate zeal of the Tories had defeated the former clauſe, ſo the equally miſguided violence of the Whigs prevented the adoption of the latter; and the King himſelf appeared to be almoſt the only man in the kingdom who had the wiſdom and moderation to approve and patronize both.

Bill of Comprehenſion.

With a view to accompliſh the truly Chriſtian and Catholic project of a comprehenſion, a bill was introduced into the Houſe of Lords, under the title of a Bill for Uniting their Majeſties' Proteſtant Subjects; by which many trivial points in diſpute between the Church and Diſſenters reſpecting the uſe of the croſs and ſurplice, &c. were conceded to the latter, and ſome verbal alterations admitted in the Book of Common Prayer. This giving little ſatisfaction to divers of the Lords, a proviſo was offered, extending much farther the proſpect of reformation;—"that, in imitation of the acts paſſed in the reigns of Hen. VIII. and Edw. VI. a number of perſons both of the Clergy and Laity might be empowered to prepare ſuch a reformation of things relating to the Church, as might be offered to King and Parliament in order to the healing of our diviſions, and the correcting what might be amiſs or defective in our Conſtitution." This was vehemently oppoſed by Biſhop Burnet, who, impatient to ſignalize himſelf as a champion of the Church, argued with great warmth againſt taking this buſineſs out of the hands of the Clergy, to whom in his opinion it ſolely and properly appertained. And in conſequence of his intervention—if he does not in the relation of this affair over-rate his own importance—it was thrown out by a ſmall majority. Againſt this deciſion an admirable proteſt was nevertheleſs entered upon the journals of the Houſe, in which the proteſting Peers remark, "that, though upon *Romiſh* principles the Clergy alone are entitled to meddle in matters of religion, yet with us, where the Church is acknowledged and defined to conſiſt of Clergy and Laity, they can have no ſuch claim; that the things to be conſidered are of human inſtitution, and derive their

their origin from the Civil Power; that any alteration or improvement of them muſt depend on the exerciſe of human reaſon; and that the Clergy can have no pretence for inſiſting upon the excluſion of the Laity, unleſs they mean at the ſame time to ſet up a claim to divine inſpiration. And as to the differences and delays which might ariſe from the mixture of laymen and eccleſiaſtics, they could afford no ground of objection, unleſs thoſe who advance this plea ſuppoſe the clergy to have diſtinct intereſts or deſigns from the lay-part of the ſame church; in which caſe it would undoubtedly be proper to exclude *one or other* of the oppoſing parties, not from the preſent Commiſſion merely, but from the Upper Houſe of Parliament itſelf, in order that the national buſineſs ſhould ſuffer no obſtruction." This futile bill was at length ſent down to the Commons, where it was oppoſed by the whole ſtrength of the High Church party; and being alſo but faintly ſupported by the friends of the Diſſenters, the leaders of whom were ſecretly averſe from a ſcheme of comprehenſion which would diminiſh their influence and importance, it was finally loſt. At the ſame time an Addreſs to the Throne was moved and carried by the opponents of the bill, in which the Lords, after an high debate, concurred, thanking his Majeſty for his gracious declarations and repeated aſſurances that he would maintain the Church of England eſtabliſhed by Law—and humbly praying that, according to the antient uſage and practice of the Kingdom, in time of Parliament, his Majeſty would be pleaſed to iſſue his writs for calling a Convocation of the Clergy to be adviſed in eccleſiaſtical matters; and, by way of compromiſe with the other party, aſſuring his Majeſty that it was their intention forthwith to proceed to the conſideration of giving eaſe to Proteſtant diſſenters." The way being thus paved for the Act of Toleration, it paſſed rapidly through both Houſes, and received the Royal aſſent with the moſt decided approbation of the public: and though in itſelf very defectively framed, it has in fact operated as a charter of religious liberty; for very few attempts have been made to oppoſe the letter to the ſpirit of the act, and in recent times it has been explained, improved and enlarged. From this toleration the Papiſts were expreſsly excluded: but the mild and be-

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nignant diſpoſition of the King effectually protected them from the fury of their Proteſtant perſecutors.

Proceedings of the Convocation.

In conformity to the Addreſs of the two Houſes, and as the only remaining chance of effecting any plan of eccleſiaſtical comprehenſion, the King ſummoned a Convocation, which met in the autumn of the preſent year; previous to which a Special Commiſſion was iſſued under the Great Seal to ten biſhops and twenty dignitaries of the Church to prepare ſuch alterations of the Liturgy and Canons as might be fit to lay before the Convocation. This was not only a prudential but a neceſſary legal precaution, as the Clergy in Convocation would have ſubjected themſelves to the penalties of a *premunire* by attempting to frame new canons without the King's leave firſt obtained. A great majority of theſe Divines were of the moderate or Low Church party; but, to avoid as far as might be the reproach of partiality, in the number were included ſeveral of a different complexion, ſuch as Lamplugh, Archbiſhop of York; Mew and Sprat, Biſhops of Wincheſter and Rocheſter; Jane, Divinity Profeſſor at Oxford; and Aldrich, Dean of Chriſtchurch. No ſooner were they convened in the Jeruſalem Chamber, and the Commiſſion opened, than the legality and authority of it were called in queſtion by Dr. Sprat, who had himſelf been one of the members of the criminal and tyrannical court eſtabliſhed by the late King James—thus proving himſelf one of that odious and phariſaical fraternity who can ſtrain at a gnat and ſwallow a camel. And though he was informed that the Commiſſioners pretended to no authority, but were met merely to conſult upon ſuch matters as it might be neceſſary to arrange and prepare for the conſideration of the Convocation, he retired in high diſguſt, attended by Mew, Jane and Aldrich. The Commiſſioners nevertheleſs proceeded in the buſineſs of their commiſſion, and digeſted a plan of reform, nearly reſembling that contained in the Bill of Comprehenſion. But on the enſuing meeting of the Convocation, it immediately appeared that the Court or moderate party would be left in a minority, by the choice of Dr. Jane as Prolocutor, in oppoſition to Dr. Tillotſon. When preſent-

ed for approbation to the Biſhop of London, who officiated as Præſes of the Convocation during the ſuſpenſion of Sancroft, the Prolocutor, in an eloquent Latin ſpeech, delivered it as the ſenſe of the Lower Houſe, that ſuch was the tranſcendent excellence of the Liturgy eſtabliſhed by law in England, above thoſe of all other Chriſtian churches, that it needed no amendment; and he concluded in their name with the famous declaration of the Barons of England at the Parliament of Merton, "*Nolumus leges Angliæ mutari.*" A prorogation forthwith took place, in the vain hope of mollifying theſe flaming furious ſpirits; and at their ſecond meeting (Dec. 4, 1689) the Earl of Nottingham delivered to them a Meſſage from the King couched in the ſofteſt terms, and exhorting them "calmly and impartially to attend to the propoſitions which were to be laid before them, and which would aſſuredly tend to the honor, peace, and advantage of the Proteſtant religion in general, and particularly of the Church of England, which was ſo eminent a part of the Reformation." After much contention and difficulty, the Lower Houſe of Convocation acceded to an Addreſs propoſed by the Biſhops, "thanking his Majeſty for his gracious Meſſage, and expreſſing their fidelity and allegiance to his perſon;" at the ſame time reſolving not to enter into any debates reſpecting alterations. The Court therefore, now perceiving its hopes and deſigns entirely fruſtrated, determined to put a period to the ſitting of the Convocation. And the only effect produced by this beneficent but perhaps injudicious effort of the Executive Government, was to excite a factious and ſenſeleſs clamor againſt the Monarch, as inimical to the intereſts of the Church. The ſeſſion of Parliament, which was protracted to the unuſual period of ſeven months, had been previouſly terminated on the 20th of Auguſt 1689. In the courſe of it, the attainder of Lord Ruſſel, whoſe execution is ſtyled in the Act a murder, and that of Algernon Sydney, a name which may vie with the moſt celebrated of antiquity, were reverſed, and their memories conſecrated to everlaſting fame, amid the ſacred effuſions of national grief and admiration.

Affairs of Scotland.

The Convention of Eſtates in Scotland, ſummoned by letter as in England, met at Edinburgh on the 14th of March 1689; and the Duke of

 Hamilton,

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The letter of James was then opened, and found to contain a furious and virulent declamation againſt the authors and abettors of what he ſtyles "the blackeſt of uſurpations, and the moſt unjuſt as well as unnatural of all attempts; and warning the Convention to avoid, by a loyalty ſuitable to the many profeſſions they had made, the infamy and diſgrace they muſt bring upon themſelves in this world, and the condemnation due to the rebellious in the next." Not intimidated, but on the contrary inflamed and exaſperated, by theſe reproaches and threats, they ordered Crane the meſſenger to be taken into cuſtody, and after ſome time diſmiſſed him with a paſs inſtead of an anſwer. At the inſtance of the Preſident, a committee of twenty-four perſons, conſiſting of eight members ſelected out of each

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of the three Eſtates of Lords, Knights, and Burgeſſes, was then appointed to prepare and digeſt the plan of a new Settlement—who in a few days came to the following ſpirited and memorable reſolution: "The Eſtates of the Kingdom of Scotland find and declare that King James VII. being a profeſſed Papiſt, did aſſume the royal power, and acted as a King without ever taking the oath required by law; and had, by the advice of evil and wicked counſellors, invaded the fundamental Conſtitution of this Kingdom, and altered it from a legal and limited monarchy to an arbitrary deſpotic power; and had governed the ſame to the ſubverſion of the Proteſtant religion, and violation of the laws and liberties of the Nation, inverting all the ends of government; whereby he had FORFAULTED the RIGHT of the Crown, and the Throne was become vacant." This reſolution, being reported to the Convention, was adopted and confirmed, with the exception of five diſſentient voices only—the partiſans of the late King James having previouſly ſeceded from the aſſembly. The Lord Preſident then moved, "that the vacant Throne might be filled with the King and Queen of England;" which was unanimouſly approved—the Marquis of Athol himſelf, who had oppoſed with vehemence the Vote of Vacancy, declaring his acquieſcence in the proceedings of the Convention, and acknowledging, that, upon the preſumption of a vacancy, none were ſo worthy to fill the throne as King William and Queen Mary. The new Sovereigns were on the ſame day proclaimed at the Market-croſs of Edinburgh by the Lord Preſident in perſon, aſſiſted by the Members of the Convention and the Magiſtrates of the City. The Earl of Argyle (who had been permitted to take his ſeat, notwithſtanding the attainder of his father), Sir James Montgomery and Sir John Dalrymple were then nominated Commiſſioners to inveſt their Majeſties with the royal dignity; and on the 11th of May 1689, attended by almoſt all the Scottiſh nobility and gentry reſident in or near the metropolis, they were ſolemnly introduced to the King and Queen at Whitehall, and delivered to them, together with a letter from the Eſtates, 1. The Inſtrument of Government; 2. A Paper containing a Catalogue of the National Grievances; and 3. An Addreſs to the King for turning the Convention into a Parliament—to all which the King replied very graciouſly. The Coronation Oath was then tendered, conceived and expreſſed in an high ſtrain

Crown of Scotland declared forfeited by K. James:

and conferred on King William.

of

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of liberty, but miſerably and ſtrangely tainted with fanaticiſm—amongſt other abſurd things, declaring, "that they would aboliſh and gainſtand all falſe religion—that they would procure to the Kirk of God and all Chriſtian people true and perfect peace to the utmoſt of their power in all time coming—and that they would be careful to root out all heretics and enemies to the true worſhip of God, &c." Here the King, much moved, interrupted the Earl, and proteſted that he did not mean to bind himſelf by theſe words to become a perſecutor. And the Commiſſioners replying that neither the meaning of the Oath nor the Law of Scotland did import it; his Majeſty rejoined, "that he took the oath in that ſenſe, and called upon the Commiſſioners themſelves and others preſent to witneſs that he did ſo."

The Convention of Scotland having at their firſt meeting declared ſo decidedly againſt the late King James, the whole kingdom ſeemed to ſubmit to their authority without heſitation or difficulty; the Caſtle of Edinburgh excepted, of which the Duke of Gordon, a Papiſt, was governor; and who, upon being ſummoned by the Convention, peremptorily refuſed to deliver up the fortreſs; upon which he was at the High Croſs by the Heralds at arms proclaimed a traitor and rebel. But a formidable oppoſition to the new Government was ſoon excited by the celebrated Viſcount Dundee; who had formed himſelf upon the model of the heroic Montroſe, and was poſſeſſed of the ſame commanding talents and graceful accompliſhments. Having left the Convention with the reſt of the ſeceders, he quitted Edinburgh at the head of about 50 horſe. Being aſked whither he was going, he replied, "Wherever the ſpirit of Montroſe ſhall direct me." Repairing to the interior parts of the country, he ſoon collected a very conſiderable force. Dundee had inflamed his mind with the peruſal of the ancient poets and hiſtorians, and yet more by liſtening to the heroic achievements celebrated in the popular and traditionary ſongs of his countrymen. His army was entirely compoſed of HIGHLANDERS—a ſingular people, of whom it is not ſufficient barely to mention the name. Amidſt the clouds and darkneſs which envelop the high and remote periods of hiſtoric antiquity, it appears from ſtrong pre-

Exploits of Viſcount Dundee.

Highlanders deſcribed.

ſumptive

ſumptive evidence, that at this æra the Highland nation exhibited the unmixed remains of that vaſt Celtic empire which once ſtretched from the pillars of Hercules to the ſea of Archangel. The Highlanders were compoſed of a number of tribes or *clans*, each of which bore a different name, and lived upon the lands of a different chieftain. The members of every clan were connected with each other not only by the feudal but the patriarchal bond; and each of them could recount with pride the degree of his affinity to the common head. The caſtle of the chieftain was open and eaſy of acceſs to every individual of the tribe. There all were hoſpitably entertained in times of peace, and thither all reſorted at the ſound of war. They lived in villages built in glens or deep valleys, and for the moſt part by the ſides of rivers. At the end of ſpring they ſowed their grain, and at the commencement of winter they reaped their ſcanty harveſt. The reſt of the year was all their own for amuſement or for war. In the ſhort interval of ſummer they indulged themſelves in the enjoyment of a bright and lengthened ſun, and in ranging over a wild and romantic country; frequently paſſing whole nights in the open air among the mountains and the foreſts. They ſpent the winter in the chace while the ſun was up; and in the evening, aſſembling round a blazing hearth, they entertained themſelves with the ſong, the tale and the dance. Their vocal muſic was plaintive even to melancholy, but their inſtrumental was bold, martial, and animating. In order to cheriſh high ſentiments in the minds of all, every conſiderable family had an hiſtorian who recounted, and a bard who ſung, the deeds of the clan and its chieftain, or on more ſolemn occaſions the glorious exploits of their heroic anceſtors *. The vaſtneſs of the objects which ſurrounded them, lakes, mountains, rocks, cataracts, ſeemed to expand and elevate their minds; and the ſeverity of the

* Many beautiful ſpecimens of Highland poetry might be ſelected from the Works of the moſt celebrated Gaelic Bards, and more particularly from thoſe of Oſſian. But the pleaſure we derive from them would be much enhanced could their pretenſions to the high antiquity they claim be more ſatisfactorily aſcertained. Oſſian's Addreſs to the Sun, to adduce no other inſtance, is truly ſublime: "O thou that rolleſt above, round as the ſhield of my fathers, whence are thy beams, O Sun! whence thy everlaſting light? Thou comeſt forth in thy awful beauty; and the ſtars hide themſelves in the ſky. The moon, cold and pale, ſinks in

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the climate, with the nature of the country, and their love, in common with other ſemi-barbarous nations, of the chace and of war, forced them to great corporeal exertions; while their want of regular occupation on the other hand led them to contemplation and ſocial converſe. They received the rare and occaſional viſits of ſtrangers with a genuine and cordial hoſpitality, never indulging in a rude or contemptuous ridicule of manners oppoſite to their own. Conſidering the inhabitants of the Lowlands in the light of invaders and uſurpers, they thought themſelves entitled to make repriſals at all convenient opportunities. What their enemies therefore called violence and rapine, they termed right and juſtice; and in the frequent practice of depredation they became bold, artful, and enterpriſing. An injury done to one of the clan was held, from the common relation of blood, to be an injury to all. Hence the Highlanders were in the habitual practice of war; and hence aroſe in various inſtances between clan and clan mortal and deadly feuds, deſcending from generation to generation. They uſually went completely armed with a broad ſword, a durk or dagger, a target, muſquet and piſtols. Their dreſs conſiſted of a jacket and looſe lower garment, with a roll of light woollen, called a *plaid*, wrapt around them ſo as to leave the right arm at full liberty. Thus equipped and accoutred, they would march 40 or 50 miles in a day, ſometimes even without food or halting, over mountains, along rocks, through moraſſes; and they would ſleep on beds formed by tying bunches of heath haſtily and careleſsly together. Their advance to battle was rapid; and after diſcharging their muſquets and piſtols, they ruſhed into the ranks of the enemy with their broad ſwords; and in cloſe fight, when unable to uſe their ordinary weapon, they ſuddenly ſtabbed with the durk. Their religion, which they called Chriſtianity, was ſtrongly

in the weſtern wave. But thou, thou thyſelf moveſt alone! Who can be a companion of thy courſe? The oaks of the mountains fall; the mountains themſelves decay with years; the ocean ſhrinks and grows again; the moon herſelf is loſt in heaven; but thou art for ever the ſame, rejoicing in the brightneſs of thy courſe! When the world is dark with tempeſts; when thunder rolls and lightning flies, thou lookeſt in thy beauty from the clouds, and laugheſt at the ſtorm. But to Oſſian thou lookeſt in vain! for he beholds thy beams no more; whether thy yellow hair flows on the eaſtern cloud, or thou trembleſt at the gates of the Weſt."

tinctured

tinctured with the ancient and barbarous ſuperſtitions of the country. They were univerſally believers in ghoſts and preternatural appearances. They marked with eager attention the variable forms of their cloudy and changeful ſky; from the different aſpect of which, they foretold future and contingent events: and abſorbed in fantaſtical imaginations, they perceived in a ſort of ecſtatic viſion things and perſons ſeparated from them by a vaſt interval of ſpace. Each tribe had its peculiar dogmas and modes of faith, which the ſurrounding clans regarded with indifference, or at moſt with a cold diſlike far removed from the rancor of religious hatred: and perſecution for religion was happily a ſpecies of folly and wickedneſs unknown and unheard of amongſt them.

By extraordinary efforts of activity and valor, Viſcount Dundee at the head of his gallant countrymen made a rapid and alarming progreſs; and receiving great promiſes of ſupport from the late King, he flattered himſelf with the vain hope of ultimately reſtoring the royal authority in North Britain. But being cloſely followed by General Mackay, who commanded for the reigning monarch in Scotland, after various marches and counter-marches the two armies came to an engagement May the 26th, 1689, at the paſs of Killicranky, ſome miles above Dunkeld. Such was the impetuoſity of the Highlanders, incited by the conduct of their gallant chieftain, that the Engliſh troops were entirely broken in leſs than ten minutes. The dragoons fled at the firſt charge, and the whole train of artillery fell into the hands of the enemy. Nothing could be more deciſive than the victory thus obtained, when a random ſhot put an end to the life of Dundee: and General Mackay, taking advantage of this unexpected and fortunate incident, rallied his men, and retrieved with great courage and addreſs the battle thus to appearance irrecoverably loſt. The Highlanders, ſtruck with grief and conſternation, were never after able to make head; and the clans, wearied with a repetition of misfortunes, at length almoſt univerſally laid down their arms, and took the benefit of the pardon offered by King William to thoſe who ſhould ſubmit within the time limited in his proclamation. The Duke of Gordon, alſo, deſpairing of relief, ſurrendered the Caſtle of Edinburgh at diſcretion on the

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13th of June 1689: ſo that the whole iſland of Great Britain now acknowledged the ſovereignty of the new monarch; but Ireland was far from following this example.

State of Europe.

In order to form a juſt eſtimate of the political ſtate of this kingdom as connected with Great Britain, it will be neceſſary to fix our previous attention upon the ſituation of affairs on the Continent. The riſing power of France and the immeaſurable ambition of its ſovereign Louis XIV. had long excited the moſt ſerious apprehenſions of the European potentates. Wholly negligent of the rules of policy, the pride of that monarch incited him to attempts no leſs inſulting to the feelings than injurious to the rights of his neighbors. Immediately on the concluſion of the peace of Nimeguen, Feb. 1678-9, two pretended courts of juſtice were erected, the one at Metz, the other at Briſac, under the appellation of "Chambers of Re-union," for the expreſs and avowed purpoſe of enforcing the claims of the French Monarch reſpecting thoſe cities and diſtricts which were ſaid to be dependencies either upon the Biſhoprics of Metz, Toul and Verdun, or upon the countries ceded to France by the treaty of Nimeguen. The feudal proprietors and lords of thoſe places were cited to appear in theſe courts, and in default of ſuch appearance were condemned for contumacy. It is evident that claims of this nature, enforced in this mode, muſt be productive of the bittereſt animoſity and contention. On the refuſal of Spain and the Empire to ſurrender ſeveral places in Brabant, Alſace, and Lorraine, thus imperiouſly demanded, Straſburg was ſeized, and Luxemburg beſieged. The higheſt offence and the higheſt alarm were alſo excited in Holland and the Proteſtant States of Germany, by the repeal of the famous Edict of Nantz, and the furious perſecution now commenced againſt the Huguenots in France. Leopold Emperor of Germany, the only prince in Chriſtendom whoſe power could with any proſpect of ſucceſs be ſet in oppoſition to that of France, was engaged in a dangerous war with the Ottoman Porte, aſſiſted by the mal-contents of Hungary; inſomuch that, in the courſe of it, the Turkiſh moons had been diſplayed before the walls of Vienna. But in conſequence of the ſplendid and memorable victory obtained there over

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League of Augſburg.

over the infidels by the heroic Sobieſki, the war took an unexpected and very favorable turn; and the Court of Vienna was now much more at liberty to fix her attention upon the bold and aſpiring projects of France. In order effectually to counteract thoſe daring deſigns, a league was formed in the year 1686 at Augſburg, to which the Emperor, Spain, Holland, Savoy, and the principal States of the Empire both Catholic and Proteſtant, were the contracting parties. The acceſſion of England was eagerly looked for to this grand alliance, of which the Emperor was the nominal but the Prince of Orange the real head; from whoſe firmneſs and wiſdom it derived all its weight and energy. It is ſingular, that even the Pope himſelf, Innocent XI. greatly favored this confederacy againſt Louis, from whoſe haughtineſs he had received the moſt mortifying perſonal affronts, and who had by recent violence wreſted from him the city of Avignon.

Perceiving a war inevitable, the King of France did not wait for the attack, but in the month of October 1688 cauſed a numerous army under the command of the Dauphin to paſs the Rhine, which took poſſeſſion with very little oppoſition of the cities of Philipſburg, Manheim, Mentz, Spires, &c.: but he was wholly diſappointed in his deſigns upon Cologne, which, rejecting the neutrality offered by France, admitted a garriſon of 6000 men from Prince Clement of Bavaria, recently choſen Elector. The States General having nothing to apprehend therefore on that ſide, the Prince of Orange was left at full liberty to proſecute his deſigns upon England. This ſudden irruption was immediately followed by a manifeſto againſt the Emperor, and a declaration of war againſt Holland, accompanied nearly at the ſame time with ſimilar declarations againſt the other contracting parties of the League of Augſburg. And on the other hand, the States of the Empire convened at Ratiſbon paſſed unanimouſly a decree, pronouncing the Crown of France with its adherents enemies of the Holy Roman Empire, for their manifold contraventions of the treaties of Munſter, Nimeguen, &c. and declaring the war now undertaken to be a common war of the Empire againſt the common foe of Chriſtendom. The ravages committed by the French armies in

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the circles of the Rhine, and particularly the Palatinate, were dreadful in the extreme, and excited throughout Europe the livelieſt emotions of reſentment and commiſeration. Strong traces of their devaſtations are even yet diſcernible in many parts of that beautiful territory; and on this ſpot at leaſt the memory of Louis XIV. muſt be for ever held accurſed.

In the month of March 1689, the King by a meſſage informed both Houſes of Parliament, that the late King had ſailed from Breſt *with French troops* in order to effect a landing in Ireland; on which a joint Addreſs was preſented, declaring "that they would with their lives and fortunes aſſiſt his Majeſty in *ſupporting the alliances abroad*, in the reduction of Ireland, and in defending the religion and laws of the kingdom." And in the month of April the Houſe of Commons came to a more determinate reſolution, "that in caſe his Majeſty thought fit to engage in the war with France, the Houſe would give him all ſuch aſſiſtance in a parliamentary way as ſhould enable him to ſupport and go through with the ſame." In the ſubſequent Addreſs founded on this reſolution, they expreſs their confidence, that through his Majeſty's wiſdom the alliances already made, and hereafter to be concluded, will be effectual to reduce the French King to a condition that it may not be in his power hereafter to violate the peace of Chriſtendom. On this grand point, a deep and cordial ſympathy united the Monarch, the Parliament, and the Nation; and the King in reply declared in warm terms his ſatisfaction at this Addreſs, and profeſſed that he looked upon the war to be already ſo much declared by France againſt England, that the ſtep now taken was not ſo properly an act of choice as of inevitable neceſſity and ſelf-defence. And on the 7th of May following, 1689, war was in form declared againſt the French Monarch.

War declared by England againſt France.

Generous reception of K. James by Louis XIV.

On the abdication of James, and his ſubſequent arrival in France, he had been received by Louis with an hoſpitality and kindneſs approaching even to oſtentation. The palace of St. Germains was aſſigned him for his reſidence, his houſehold ſupported with great magnificence, and hopes, or rather aſſurances, were given him that he ſhould be ſpeedily re-

eſtabliſhed on the throne of England. The conduct of James, however, in this ſituation, diſcovered no ſymptoms either of ſpirit or underſtanding. He ſhewed little ſenſibility at the loſs of his Crown. His faculties were abſorbed in the moſt abject ſuperſtition and bigotry. His favorite occupation was holding conferences with the Jeſuits, into which order he had been initiated, on the myſteries of religion: and of the perſonal courage which had diſtinguiſhed him in his early years no traces were diſcernible. He became the theme of the public contempt and deriſion in France; and the ſarcaſtic remark was every where circulated of the Archbiſhop of Rheims, brother to M. Louvois, who ſeeing this monarch returning from chapel with his prieſts about him exclaimed aloud, "There goes a pious ſoul, who has abandoned three kingdoms for the ſake of a maſs!" The extreme bigotry of Louis prevented, however, his ſeeing the character of James in its moſt odious and ridiculous point of view; and great naval and military preparations were made with a view of accompliſhing the promiſe of his reſtoration. Early in March, a fleet of 14 ſhips of the line was collected at Breſt, on board of which James embarked with a conſiderable body of troops, Iriſh, French, and Engliſh, commanded chiefly by French officers, under M. Roſen, a General of approved ſkill and courage. At parting, the King of France, embracing with demonſtrations of high regard the King of England, ſaid, "The beſt thing I can wiſh your Majeſty is, that I may never ſee you again." The whole armament arrived ſafely at Kinſale, where a landing was effected without oppoſition March 22, 1689.

Invaſion of Ireland by the French.

The conduct of the Earl of Tyrconnel had been peculiarly artful and inſidious, having intentionally excited in the Engliſh Government amuſive hopes of ſubmiſſion, for the purpoſe of gaining time: ſo that no timely meaſures were taken to guard the coaſts of Ireland againſt invaſion. At an extraordinary Council held at the Caſtle of Dublin, immediately conſequent to the deſertion of James, the Chief Juſtice Keating, a Proteſtant, declared that it would be in vain to contend with the ruling powers—that Ireland muſt neceſſarily follow the fortunes of England—and exhorted the Lord Lieutenant to a wiſe and honorable accommodation. Tyrconnel

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Treachery of Tyrconnel.

nel heard this advice with ſeeming temper and moderation; and profeſſing to enter into theſe ideas, he propoſed to Lord Montjoy, a man of abilities and of great conſideration amongſt the Proteſtants, to accompany the Chief Baron Rice, a furious Papiſt, little likely to regard honor, or keep faith with heretics, to repreſent to King James the weakneſs of Ireland, and the neceſſity of yielding to the times, and of waiting a more favorable opportunity to avail himſelf of the ſervices of his Iriſh ſubjects—ſwearing ſolemnly to Montjoy, that he was in earneſt in this meſſage, and that he knew the Court of France would oppoſe it to the utmoſt of their power; for, careleſs of the intereſt and indifferent even to the deſtruction of Ireland, it ſought merely to give to the arms of the Prince of Orange a temporary diverſion.—With generous indiſcretion, Montjoy againſt the advice of his more wary friends accepted this hazardous commiſſion. But on his arrival in France he had full proof of the treachery of Tyrconnel, being himſelf immediately committed to the Baſtile.

In conſequence of the ambiguous aſpect of affairs in Ireland, Lieutenant General Hamilton, an Iriſh officer of great addreſs, and at this time a priſoner of war, having ſerved in the armies of France, was at his own deſire ſuffered to go on his parole to Ireland, with a view to perſuade Tyrconnel to ſurrender the government. But if there was any previous indeciſion in the counſels of the Lord Lieutenant, it vaniſhed on his interview with Hamilton, who, with the moſt profligate deſertion of every principle of honor, uſed all imaginable arguments to confirm him in his attachment to King James, and exerted himſelf with the utmoſt ardor and activity in ſupport of the ſame cauſe. On the arrival of the abdicated Monarch in Ireland, the whole kingdom ſeemed to be at his devotion. Tyrconnel had diſarmed the Proteſtants, and aſſembled an army of 40,000 Catholics well provided by means of the ſupplies ſent from France: and about the end of March, James made his public *entrée* into Dublin, amid the acclamations of the inhabitants, being met at the Caſtle-gate by a proceſſion of Popiſh Biſhops and Prieſts in their pontificals, bearing the hoſt, which the King publicly adored; after which he aſſiſted at a ſolemn *Te Deum*.

King James makes his entry into Dublin.

The

The Court of London now endeavored to compenſate for its former remiſſneſs by the vigor of its preſent exertions. A powerful ſquadron under Admiral Herbert was fitted out with all expedition, in hope of intercepting the French fleet on its return; and on the 1ſt of May he came in ſight of the enemy, then lying at anchor in Bantry Bay. Perceiving an engagement inevitable, the French bore down in a regular line of battle: but the Engliſh Admiral not being able to gain the wind, the ſhips fought at a great diſtance, and the engagement was extremely indeciſive; both ſides as uſual in ſuch caſes boaſting of the victory. And Admiral Herbert having made every poſſible effort, King William pleaſantly remarked, "that in the commencement of a war it might be allowed to paſs for ſuch." But the French were with ſome reaſon elated with the ſucceſs of the Iriſh expedition; the Count de Chateau-Renaud, commander of the fleet, having landed his troops, repulſed the enemy, taken ſeveral rich prizes, and brought his ſhips back to Breſt in good condition and without loſs, in the ſhort ſpace of a few weeks. The land forces deſtined for the reduction of Ireland being not yet in readineſs, King James reigned without control, and almoſt without reſiſtance, in that country. A Parliament was convened by him to meet in Dublin on the 7th of May (1689), by which the famous Act of Settlement, paſſed ſoon after the Reſtoration, was immediately repealed with loud acclamations of triumph, and ſcarcely a ſhadow of oppoſition. By this repeal, two thirds of the Proteſtants in the kingdom, who had now for near forty years held their eſtates in virtue of the arrangement made at the termination of the civil wars, and ſubſequently modified and confirmed by the authority of King and Parliament, were deprived of them, without any exception or conſideration whatever for thoſe who had made purchaſes under the exiſting laws. Even the eſtate of Sir Phelim O'Neill, the famous rebel, was unconditionally reſtored to his heirs. In the Upper Houſe, the Biſhop of Meath ventured to urge ſome objections againſt both the principle and the proviſoes of the bill. This Prelate obſerved, that no penalty was enacted againſt ſuch as ſhould enter eſtates without injunctions—no conſiderations for improvements—no ſaving for remainders—no time given for the removal of the ſtock of cattle or corn—no proviſion for widows. "Either," ſaid he, "my Lords, there

Battle of Bantry Bay.

Pretended Parliament of Ireland convened by K. James.

Act of Settlement repealed.

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there was a rebellion in this kingdom in 1641, or there was not. If there was none, GOD forbid that I ſhould open my mouth in defence of the injuſtice of which we have been guilty! But what ſhall we in this caſe ſay to the declaration of his Majeſty's royal father the late K. Charles I. who in his Icon Baſilike affirms poſitively that there was a rebellion; and paſſed an act to ſecure thoſe who would advance money for the ſuppreſſion of it? What indeed ſhall we ſay to the bill now before the Houſe, which acknowledges a rebellion, though it extenuates its criminality? If then there was a rebellion, how can thoſe concerned in it pretend a right to the reſtoration of their eſtates, except by an act of grace or pardon? But here is a bill which makes no diſtinction between the guilty and the innocent: one is to be put in as good a condition as the other. Can your Lordſhips imagine it is reaſonable to do this, when we all know that a Court of Claims has been inſtituted for the protection of thoſe who were unjuſtly accuſed; that claims have been actually heard and adjudged in this Court on a full hearing, without any imputation of partiality?" The chief ſupporter of the bill in the Houſe of Lords was the Lord Chancellor Fitton; a wretch, if poſſible, more infamous than the Engliſh Chancellor Jeffries, and who had been taken from priſon, where he had lain ſeveral years a convicted felon under puniſhment for the crime of forgery, and placed by K. James at the head of the law department in Ireland, with no other merit than that of a furious zeal for Popery, or rather rage approaching the limits of inſanity, combined with the moſt abject ſubſerviency to the mandates of the Court. Sitting in the capacity of Judge, he over-ruled all rules of practice and pleas of law—declaring that the Chancery was above all laws; and that no law ſhould bind his conſcience. Where any difficulty occurred, it was not a Lawyer but a Divine, as he affirmed, who muſt reſolve it. Such was the advocate of the Bill of Repeal; which paſſing with no farther oppoſition of conſequence received the Royal aſſent—the King paying no ſort of attention to the petition preſented to him by the Earl of Granard in behalf of the purchaſers under the Act of Settlement. This was followed by an Act attainting all Proteſtant abſentees; the attainder alſo reaching all ſuch as from and after the 1ſt of Auguſt 1688 correſponded with any who were in actual rebellion,

rebellion, or who were any ways aiding, abetting, or aſſiſting thereto; i. e. the whole body of Iriſh Proteſtants, who were univerſally attached to the new Revolution Government, and who were thus condemned to ſuffer the penalties of death and forfeiture. The ſeverity of this Act has been ſaid to exceed that of the famous proſcription at Rome during the laſt triumvirate; and by a barbarous and bloody clauſe, inſerted no doubt at the expreſs inſtance of James, as no one without knowing his pleaſure would have dared to attempt a limitation of his prerogative*, the Monarch was debarred the power of pardoning after the laſt day of the enſuing month of November 1689—the pardon if not enrolled previous to that time being declared abſolutely null and void. Another Act was paſſed, of a very different and much more ambiguous nature, to aboliſh the dependency of Ireland upon the Parliament of England, and to prohibit the tranſmiſſion of all writs of error and appeal to the Engliſh Courts of Judicature. A Bill was alſo introduced for the repeal of Poyning's law; but this the King angrily reſiſted. A law was indeed enacted for liberty of conſcience;

* We are informed by Archbiſhop King, "that there were only four or five Proteſtant Lords Temporal and four Spiritual Lords ſitting in this Parliament, and that the Houſe of Commons was filled in ſuch a manner that only two Proteſtants ſuch as deſerved the name were in it. By this means the Parliament openly profeſſed itſelf a ſlave to the King's will; and he was looked on as factiouſly and rebelliouſly inclined, that would dare to move any thing after any favorite in the Houſe had affirmed that it was contrary to the King's pleaſure."

State of Proteſtants in Ireland, p. 172.

In the Memoirs of K. James, written by that Monarch, or under his immediate inſpection, it is indeed affirmed, "that the fear of diſguſting the Iriſh Catholics, on whom he wholly depended, and the hopes of recompenſing ſuch Proteſtants as ſuffered by the Act for reſcinding the Acts of Settlement, induced the King at laſt to give his Royal aſſent, *though he ſaw it was highly prejudicial to his intereſt*. Nothing but the unwillingneſs to diſguſt his only friends could prevail with him to foreclоſe himſelf in the Act of Attainder from the power of pardoning thoſe compriſed in it." *M'Pherſon's State Papers.*

It does not however appear from any authorized facts, that the leaſt effort was made by James to counteract the barbarous and deteſtable proceedings of this pretended Parliament. Nor is any other reaſon ever aſſigned by him throughout theſe Memoirs for his diſapprobation of the moſt inhuman atrocities—of the acts of a Jeffries, a Roſen, or a Fitton—than the apprehenſion "that they would prove prejudicial to his intereſt." "It is remarkable," ſays Sir John Dalrymple, "that in all the letters of James publiſhed by him, and in above a hun-

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conſcience; but as this indulgence was not to take place till after the legal maſſacre of the Proteſtants, it ſeemed only calculated to add inſult to injury. A royal proclamation was about the ſame time iſſued, forbidding above five Proteſtants meeting any where upon pain of death; and the queſtion being ſubmiſſively aſked, whether this prohibition extended to the churches, Colonel Luttrel, Governor of the city, declared that it was intended to prevent their aſſembling there as well as in other places; in conſequence of which the Proteſtant Clergy were univerſally ſilenced, and the religious aſſemblies of the Proteſtants every where diſcontinued.

Memorable reſiſtance of Londonderry.

In the north of Ireland only was any ſhow of reſiſtance diſcernible. The City of Londonderry almoſt ſingly adopted the heroic reſolution of ſhutting its gates againſt the late King James, braving all the horrors of a ſiege with a very diſtant proſpect of relief. One Lundy had been appointed Governor of this place, who appears to have been either a coward or a traitor, perhaps both. At a Council of War, this officer declared his

dred more which are in King William's cabinet or Dr. Morton's poſſeſſion, there is ſcarcely one ſtroke either of genius or ſenſibility to be found." The Petition preſented by the Earl of Granard againſt the repeal of the Act or Acts of Settlement, the original Act being followed by an Act of Explanation, was drawn up in a very maſterly manner by Chief Juſtice Keating. It may be found at length in Ralph's Hiſtorical Collections. "It were," ſay the Petitioners, "a hard taſk to juſtify thoſe Acts in every particular contained in them; but if it be conſidered that, from October 1641 until May 1660, the kingdom was in one continued ſtorm, that the alterations of poſſeſſions were ſo univerſal, and properties ſo blended and mixed by allotments and diſpoſitions of the then uſurping powers, it may well be concluded, that they muſt be ſomewhat more than men that could frame a law to take in every particular caſe. But if it ſhall be found that they enjoy any thing without legal title, or have done any thing that may forfeit what they have purchaſed, they will ſit down and moſt willingly acquieſce in the judgments. But to have their purchaſes made void, their lands and improvements taken from them, their ſecurities and aſſurances for money lent, declared null and void by a law made *ex poſt facto*, is what was never practiſed in any age or country.—The purchaſer ought to be wary of any flaw in the title at the time of the purchaſe made, and purchaſes at his peril if any ſuch there be. But who is that purchaſer that muſt beware of a law to be made twenty, thirty, or forty years after his purchaſe? This is not a defect in title, but a precedent which no human foreſight could prevent; and, if once introduced, no purchaſer can ever be ſafe.—'Tis manifeſt, if this Bill proceed, all the Proteſtants in the kingdom are undoubtedly and without reſerve ruined."

opinion

opinion that the place was not tenable; and a meſſage was ſent to the King, now far advanced on his march to the city, containing propoſals of negotiation; and to requeſt that the army might halt at the diſtance of four miles from the town. But James, full of reſentment and indignation at their having preſumed to entertain an idea of reſiſtance, continued his march, in violation, as it is affirmed, of a previous agreement ſigned by General Hamilton, and in the evening of the 18th of April encamped under the walls of the city. The beſieged, exaſperated at this refuſal to treat, made á furious ſally, and compelled the King's forces to retire to St. John's Town in great diſorder. Lundy the Governor finding himſelf the object of the popular rage, and perceiving his ſchemes completely fruſtrated, made his eſcape in diſguiſe; and the inhabitants choſe Major Baker and Mr. Walker, a clergyman, joint Governors, who prepared for the defence of the place with a reſolution equal to any inſtance of the kind recorded in hiſtory. The city was very imperfectly fortified, the cannon wretchedly mounted; they had not one engineer to direct their operations; the garriſon were ſtrangers to military diſcipline; they were deſtitute of ſtores, and expoſed to the attack of a numerous and enraged enemy, provided with all the implements for a regular ſiege, with the King at their head to incite their moſt ardent exertions. Yet no one in this dreadful exigency but diſdained the mention of a ſurrender. While Walker pointed to the holy fanes, and Baker to the lofty bulwarks which ſurrounded them, the batteries were immediately opened; but in every attack the beſiegers were repulſed with conſiderable loſs. But in a ſhort time the garriſon and inhabitants had the additional calamities to contend againſt, of a contagious diſorder and a ſcarcity of proviſions, which by degrees aroſe to an abſolute famine with all its concomitant horrors. Wearied with the obſtinacy of theſe refractory and determined people, the King withdrew to Dublin, and left the command with Roſen, who thundered out the moſt tremendous menaces in caſe they any longer delayed their ſubmiſſion—declaring that he would raze the town to its foundations, and deſtroy all the inhabitants without diſtinction of age or ſex. Finding theſe barbarous threats ineffectual, he ordered all the Proteſtant inhabitants of the vicinity, to the amount of ſeveral thouſands, to be drawn

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under the walls of Londonderry, there to periſh if the refuſal to ſurrender was perſiſted in; and at the ſame time declared, that he would lay the whold country waſte if any attempt was made for their relief. The Biſhop of Meath having remonſtrated to the King in perſon againſt theſe unheard of cruelties, James replied, "that General Roſen was a foreigner, and uſed to theſe proceedings, which, though ſtrange to us, were common in other places—but that he had already ordered him to deſiſt." At length a proſpect of relief appeared. An armament from England appeared in the Lough, having on board a conſiderable body of troops, commanded by General Kirke: but the enemy had erected batteries oppoſite the ſhips, and thrown a boom compoſed of timber, chains, and cables, acroſs the narrow part of the river, ſo that it was very doubtful whether the paſſage could be forced. Taking advantage however of a favorable gale, the Montjoy boldly ſailed athwart and broke the boom; though ſhe was run aground by the violence of the ſhock. But firing a broad-ſide at the enemy, who attempted to board her while in this ſituation, ſhe cleared herſelf and righted in a moſt extraordinary manner, and paſſed the boom, followed by the Phœnix and Dartmouth. They now continued their voyage without farther moleſtation to the city, where they were received with tranſports of joy and acclamation—the garriſon being reduced to the very laſt extremity of diſtreſs. M. de Roſen immediately raiſed the ſiege, July 31, 1689, with the greateſt precipitation, having loſt 8 or 9000 men before its walls, with more than 100 officers. The heroic defence of Londonderry was attended with the moſt important conſequences; and had it taken place in a more conſpicuous ſcene of action, it might have ranked with the moſt celebrated military events of the ſame kind in the preſent or any other age—with the ſieges of Haerlem, of Leyden, or Rochelle. The town of Inniſkillen alſo diſtinguiſhed itſelf by a very gallant and ſucceſsful reſiſtance, of which a minute, and, now that a century has intervened, ſomewhat tedious detail is to be found in the hiſtories of the time.

Unproſperous campaign under M. Schomberg.

On the 12th of Auguſt 1689, M. Schomberg, a General of great reputation and experience, who had accompanied King William on his expedition to England, and who was now appointed to the chief command of the

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the army deſtined for the relief of Ireland, landed with his troops, amounting to about 16,000 men, at Carrickfergus. After taking poſſeſſion of the towns of Carrickfergus and Belfaſt with little oppoſition, he began his march to the ſouthward. Upon his approach the Iriſh abandoned Newry, a ſtrong poſt, and Dundalk; and here, in a ſituation very ineligible, M. Schomberg encamped his army in a low moiſt ground, having the town of Dundalk and the river towards the ſouth, the Newry mountains to the eaſt, and to the north hills and moraſſes intermixed. We are told that the Marechal meant to have continued his progreſs, but was diſappointed of his train of artillery, which was to have been embarked at Cheſter for Carlingford. The army, therefore, remained wholly inactive during the autumnal months at Dundalk: and inactivity is perhaps more deſtructive to an army than the bloodieſt ſucceſſion of battles. Roſen, hearing that the Engliſh General halted at Dundalk, ſaid he was ſure Schomberg wanted ſomething, and ventured to advance as far as Ardee. Not chooſing, however, to attack the Engliſh in their entrenchments, he contented himſelf with parading in front of their camp; but no provocation could induce Schomberg to engage, being much inferior in force, and conceiving the loſs of a battle to be the loſs of Ireland. This conduct was by no means approved by many of the Engliſh officers, who ſaw with indignation the ranks of the army dreadfully thinned by hunger, ſickneſs, and the inclemency of the weather. They ſaid the Commander in Chief formed his eſtimate from the numbers of the enemy, and not from their ſkill and courage. King William repeatedly urged him in his letters to put ſomething to the hazard, but he would not deviate from his plan of defence. This General was now more than fourſcore years of age: with him conſequently the ſeaſon of ardor and enterpriſe was paſſed; his reputation was fully eſtabliſhed; and after ſo many victories as had diſtinguiſhed his military career, he would not riſque the diſgrace of a defeat from an army of Iriſh rebels. In the mean time, a detachment of the Iriſh army under Colonel Sarsfield, accounted their beſt native officer, ſeized on the town of Sligo, important both by its ſtrength and ſituation. Winter approaching, both armies went into quarters, to the great diſcontent of the Engliſh nation, who had formed very

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very high and probably extravagant expectations from the ſkill and conduct of the General.

Seſſion of Parliament.

The Parliament of England met, after a very ſhort receſs, on the 19th of October 1689, and the Seſſion was opened by a very popular and excellent ſpeech from the Throne, which was remarkable for being the compoſition of the King himſelf, who produced it unexpectedly on the day preceding at the Council Board, written with his own hand. "He did not," he ſaid, "engage in the war into which they had juſt entered, out of a vain ambition; but from the neceſſity of oppoſing the deſigns that were formed againſt us. It was well known how far he had expoſed himſelf to reſcue this nation from the dangers that threatened not only their liberties, but the Proteſtant religion in general, of which the Church of England was one of the greateſt ſupports; and for the defence whereof he was ready again to venture his life. He urged the neceſſity of providing liberal ſupplies at the moſt early period, there being a general meeting appointed at the Hague of all the Princes and States confederated againſt France, in order to concert the meaſures for the next campaign; and till the determinations of the Engliſh Parliament were known, their determinations muſt be neceſſarily ſuſpended. He concluded with recommending in ſtrong terms a Bill of Indemnity, that, the minds of his good ſubjects being quieted, they might all unanimouſly concur in promoting the welfare and honor of the Kingdom." In return, the Houſe of Commons expreſſed their unanimous determination to proſecute the war againſt the French, in conjunction with the allies, with vigor and effect: and a large ſupply was immediately voted. A Committee was then appointed to examine who were the adviſers and proſecutors of the *murders* of Ruſſel, Sydney, Armſtrong, &c. and who were chiefly concerned in the arbitrary practices touching the writs of *Quo Warranto*, and the Surrender of Charters. This enquiry was levelled at the Marquis of Halifax, who had a ſhort time before reſigned his office of Speaker to the Houſe of Lords, and now ſaw the neceſſity alſo of relinquiſhing the Privy Seal, and withdrawing entirely from Court, regretted only by the King. Perceiving himſelf the object of the deteſtation

teſtation of the Whig party, he now endeavored to reconcile himſelf to the Tories, who were glad to avail themſelves of his abilities, though they deſpiſed his tergiverſations, and placed no confidence in his ſincerity. The Whigs had on ſeveral occaſions given much offence to the King, particularly by their pertinacious reſiſtance to the Bill of Indemnity, and their invincible reluctance to ſettle a permanent revenue on the Crown; by means of the firſt holding the rod over their adverſaries the Tories, and by the laſt keeping the Crown itſelf in dependency. On the other hand, the Tories had paid uniform and aſſiduous court to the King; and the Earl of Nottingham in particular had, as Biſhop Burnet affirms, furniſhed the King with a ſcheme of all the points of the prerogative, and their connection with each other, and which he inſinuated the Whigs deſigned ſyſtematically to attack. And at this very period, preſſing inſtances were made by the Tories to the King to diſſolve the preſent Parliament —laviſhing promiſes and profeſſions of loyalty and attachment, ſhould the King transfer the powers of Government to them. Theſe Court intrigues coming to the knowledge of the Whigs, a Bill was introduced by them into the Houſe of Commons, for reſtoring Corporations to their rights and privileges. The chief ſtrength of the Whig intereſt lay in the corporation boroughs and commercial companies—the gentlemen of large landed property being for the moſt part Tories. In this Bill was inſerted the following clauſe, dictated by the ſpirit of party violence —" that every Mayor, Recorder, &c. of any city or borough, who did conſent to or join in the ſurrender of any charters, or did ſolicit or contribute to the charge of proſecuting any ſcire facias or information in the nature of a quo warranto, ſhall be adjudged incapable of holding or executing any office of truſt in ſuch capacity for the ſpace of ſeven years. This was oppoſed by the whole ſtrength of the Tory party, as a clauſe fatal to their intereſt. After a fierce conteſt, the clauſe was negatived by a ſmall majority, the influence of the Court being powerfully exerted againſt it. In this ſtate the Bill was tranſmitted to the Lords, by whom it was paſſed, not without much debate and difficulty. The Tories, however, had perſuaded the King, that to give his aſſent to the Bill, even in its preſent form, would be a virtual ſurrender of himſelf to the Whigs.

Corporation Bill.

Reſolved,

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Reſolved, therefore, to riſque the conſequences of a rupture with the latter, he went to the Houſe of Peers on the 27th of January 1690, and, after announcing his intention to repair in perſon to Ireland, prorogued the Parliament to the 2d of April: but on the 6th of February a proclamation was iſſued for its diſſolution, and a new Parliament ſummoned to meet on the 20th of March 1690.

Parliament diſſolved.

Proclamation againſt Gen. Ludlow.

While the Parliament was yet ſitting, the famous General Ludlow, a member of the High Court of Juſtice which paſſed a juſtly merited ſentence, though by a very queſtionable authority, on King Charles I. unexpectedly made his appearance in England, with a view of being employed in Ireland, where he had formerly ſerved with great reputation. Being excepted in the Act of Indemnity paſſed at the Reſtoration, he had retired to Vevay in Switzerland, where he had reſided many years under the generous protection of the Lords of the Council of Berne. His paternal ſeat and eſtate at Maiden Bradley, in Wilts, was held under a grant of the Crown by Sir Edward Seymour, a Member of the Houſe of Commons, and a diſtinguiſhed leader of the Tory party, who took the firſt opportunity of repreſenting to the Houſe "how highly it reflected on the honor of the Nation, that one of the regicides of that bleſſed Sovereign, whoſe death was regarded by the Church of England as a martyrdom, ſhould not only be ſuffered to live unmoleſted in this country, but alſo entertained with hopes of preferment." Upon this the Commons voted an Addreſs to the King, to iſſue his Royal Proclamation for the apprehending General Ludlow; which the King complied with, but not till Ludlow was ſafely arrived in Holland, whence he returned to his former reſidence at Vevay; where he wrote his celebrated Memoirs, which no unprejudiced perſon can read without being impreſſed with an high idea of his courage, conſtancy, patriotiſm and probity.

The diſſolution of the Convention Parliament was a ſevere blow to the Whigs, who had given mortal offence by the late Corporation Bill to great numbers of individuals, who, though moderate in principle, had been more or leſs involved in the proceedings of the late reigns. On the re-

turn of the writs, it appeared that a great majority of Tories were elected. The King's diſpleaſure at the Whigs appeared by the diſmiſſion of the Lords Monmouth and Delamere from the Treaſury, of which Sir John Lowther was appointed Firſt Commiſſioner, under whom Mr. Hampden acted as Chancellor of the Exchequer; and the complexion of the new Parliament immediately appeared by their choice of Sir John Trevor as Speaker, who had occupied the ſame office in the only Parliament held in the late reign. In his ſpeech, the King, after repeating the former declaration of his intention to proſecute the war in Ireland in perſon, urged upon them the ſettlement of the revenue, and informed them, that having often unavailingly recommended a general indemnity to the laſt Parliament, he now propoſed ſending them an Act of Grace, with ſuch exceptions only as might be ſufficient to ſhew his great diſlike of their crimes. He made mention of an union between England and Scotland, as an event which would be productive of great benefit to both nations; and the Parliament of Scotland having nominated Commiſſioners for that purpoſe, he wiſhed that Commiſſioners might be nominated by the Engliſh Parliament to treat with them.

Meeting of the new Parliament.

Though the Tory intereſt predominated in the new Parliament, the Whigs retained ſufficient influence to prevent the revenue being ſettled for life: but a ſort of compromiſe took place between the parties, and it was agreed that the hereditary Exciſe ſhould be granted for life, and the Cuſtoms for four years from Chriſtmas 1690; with which the King appeared tolerably well ſatisfied. The firſt great trial of ſtrength between the two parties was occaſioned by a Bill introduced by the Whigs into the Houſe of Lords, recognizing their Majeſties as the rightful and lawful Sovereigns of theſe realms, and declaring all the Acts of the laſt Parliament to be good and valid. This reduced the Tories to an unpleaſant dilemma. The words "rightful and lawful" were ſtrongly objected againſt, and by the too eaſy conſent of the Houſe dropped as ſuperfluous *. It would perhaps

Conflict of parties.

* Nevertheleſs Biſhop Burnet, with his uſual and characteriſtic inaccuracy, affirms "that theſe words paſſed with little contradiction." His *Hiſtory*, as he ſtyles it, is in fact a ſort of looſe and confuſed diary, written apparently from vague *memorandums* and imperfect recollection.

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perhaps have been wiſe not to have added to the cauſes of irritation by offering theſe obnoxious words: but the rejection of them when offered was peculiarly unfortunate. The diſaffected Clergy, who endeavored to eſtabliſh the diſtinction of a King *de jure* and a King *de facto*, boaſted, with ſome appearance of reaſon, that they were fully juſtified in this diſtinction—for even the Parliament itſelf would not venture to declare the King a rightful and lawful Sovereign. As to the latter clauſe, the Tories would only conſent to enact, that the laws paſſed in the laſt Parliament ſhould be good for the time to come—abſolutely refuſing to declare them valid for that which was paſt. After a vehement debate the Bill was committed: but the declaratory clauſe was loſt on the report by ſix voices; which gave riſe to one of the moſt able and deciſive proteſts recorded on the Journals of the Houſe of Peers; at the concluſion of which the proteſting Lords thus expreſs themſelves: "If the laſt was no Parliament, and their Acts no Law, the Nation is engaged in a war without the conſent of Parliament, the old oaths of ſupremacy and allegiance remain in force, and the Nation forced under color of law to ſwear fidelity to King William. The Peers and Commons now aſſembled are under a perpetual diſability; and the Nation is involved in endleſs doubts and confuſions, without any legal ſettlement, or poſſibility to arrive at it, unleſs a Parliament be ſummoned by King James's writ, and the oaths of allegiance taken to him." In conſequence of this ſeaſonable and vigorous exertion the clauſe was ultimately reſtored; upon which the Tory Lords, headed by the Earl of Nottingham, ſigned a proteſt in their turn; in which they affirm, that the declaring of laws to be good which were paſſed in a Parliament not called by writ in due form of law, is deſtructive of the legal conſtitution of the Monarchy. This proteſt gave ſuch offence, that the Whigs moved, and triumphantly carried, a re-

lection. Sir John Reresby informs us, "that the Earl of Danby declared to him, that as to the terms rightful and lawful, they were mere nonſenſe—for that, had the Prince of Wales been made King, he could never have been deemed our lawful Sovereign while his father lived. His Lordſhip condemned, nevertheleſs, the Biſhops for their *ſqueamiſhneſs* about taking the oaths, expreſſing his concurrence with Lord Nottingham, that as his *Highneſs* was here, and we muſt owe our protection to him as King *de facto*, he thought it juſt and legal to ſwear allegiance to him." Such were the heads of the preſent Adminiſtration.

ſolution

ſolution for expunging it from the Journals of the Houſe. On the tranſmiſſion of this Bill to the Commons, the Tories thought it expedient to decline the conteſt. And when a ſolitary member on that ſide preſumed to queſtion the legality of the Convention, as not ſummoned by writ, Somers the Solicitor General anſwered with great warmth and ſpirit, "that if the Convention Parliament was not a legal Parliament, they who were then met, and who had taken the oaths enacted by that Parliament, were guilty of high treaſon—the laws repealed by it were ſtill in force—they muſt therefore return to their allegiance to King James. All the moneys levied, collected and paid by virtue of the Acts of that Parliament, made every one concerned in the execution of ſuch Acts highly criminal." Struck with the irreſiſtible force of theſe arguments, the Houſe paſſed the Bill without further debate; and thus, as it has been remarked, "the Tories themſelves gave the laſt hand to that ſettlement which they had hitherto affected both to conſider and repreſent as illegal."

The intemperate violence of the Whigs led them to another meaſure ſtill more obnoxious to the Tories than the former. This was a Bill requiring from all perſons holding offices, eccleſiaſtical, civil or military, an oath *abjuring* the late King James and his title. The reigning Monarch, guided by the rectitude of his underſtanding and the moderation of his temper, entirely diſapproved this Bill, of which he cauſed an intimation to be given to the Houſe of Commons, recommending to them "to go to other matters that were more preſſing;" and on a diviſion it was rejected by a majority of 192 to 165 voices.

A Bill for reverſing the judgment on a *Quo Warranto* againſt the City of London, for reſtoring it to its antient rights and privileges, and declaring the Charters granted ſince the late judgment null and void, paſſed, with a proviſo, that the Act ſhould not extend to diſcharge any of thoſe perſons who had acted as Magiſtrates in virtue of thoſe Charters without the legal qualifications. Another Bill, the counterpart of the former, ſoon followed, ordering the 500l. forfeitures, to which thoſe perſons were liable who had acted in any civil or military capacity in the late reign, in viola-

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tion of the Teſt Laws, to be paid into the Exchequer; ſo that, notwithſtanding the clamorous oppoſition of the Whigs, the High-Church party were to be ſcreened, and the Diſſenters puniſhed, for offences preciſely ſimilar.

Act of Grace.

The ſeſſion concluded May 21, 1690, with the Act of Grace announced by the King, which paſſed without debate, diviſion or amendment in either Houſe—the Whigs, as it ſhould ſeem, being wearied with fruitleſs oppoſition, and not chooſing longer to thwart the King's inclination on this favorite point. On the firſt reading of the Bill, April 26, in the Upper Houſe, and while they voted, all the Lords ſtood up uncovered. Some of the more remarkable exceptions in the Act of Grace were, the Marquis of Powis; the Earls of Sunderland, Melfort, Huntingdon, and Caſtlemain; Lord Chief Juſtice Herbert; the Biſhops of Durham and St. David's; the Judges Withers, Jenner, and Holloway, &c. in all about thirty; and of theſe it does not appear that any were proſecuted to conviction, excepting ſuch as were afterwards concerned in plots againſt the Government. The light in which this extraordinary and indeed too indiſcriminate lenity appeared to the zealous Whigs, ſtrikingly appears from a paſſage in a famous political tract of thoſe times, written by Lord Delamere: "May I not reckon as treacheries," ſays his Lordſhip, "the advices and ſolicitations to our King, to ſend a general Bill of Grace and free Pardon, and without regard to exemplary juſtice, for thoſe treaſons and murders and other high crimes committed before his coming hither?—The exception made of a few, ſuch as they are, without naming or diſtinguiſhing their crimes, without enacting any courſe for their proſecution, and without exemption from common pardons at pleaſure, could amount to no more than to make the people hope in vain for ſome vindication of public juſtice. Time has ſhewn the craft of this contrivance, by the indemnity of all the perſons excepted that are not ſince in rebellion againſt our King. No proceſs has iſſued againſt any of them; not a penny of their eſtates, nor one hair of their heads hath been touched, and ſeveral of them have ever ſince ſat in the Houſe of Lords as our Legiſlators."

The

The Earl of Shrewſbury was ſo highly diſguſted at the turn things had now taken, that he determined upon reſigning the Seals as Secretary of State, not yielding even to the preſſing entreaties of the King to retain poſſeſſion of them till his return from Ireland. Affairs were now entirely in the hands of Carmarthen and Nottingham, who were regarded as the heads of the High-Church and Tory party, who hated the Whigs as republicans and levellers, and by whom they were equally and reciprocally deteſted as men of intolerant, arbitrary and deſpotic principles.

Triumph of the Tories.

On the 4th of June 1690 the King ſet out for Ireland, attended by the Prince of Denmark, the Duke of Ormond, and many other noblemen and gentlemen, and on the 14th arrived at Belfaſt, where he was met by Marechal Schomberg. That General had obtained ſeveral advantages during the winter campaign. Colonel Wolfeley, at the head of a detachment of 700 infantry and 300 cavalry, had charged ſword in hand and totally routed a body of 7 or 8000 Iriſh—an exploit which did not tend to remove the opinion previouſly entertained of the too great caution of the Commander in Chief. The important poſt of Charlemont was reduced, and ſeveral others leſs conſiderable; ſo that, upon the whole, the province of Ulſter was nearly recovered. Advice of a prudential nature, conformably to the ſlow and dilatory ſyſtem on which the war had been hitherto conducted, being offered again in Council reſpecting the future operations of the army, the King declared "that he did not come to Ireland to let the graſs grow under his feet." On a general review of the troops on the arrival of all the reinforcements, they were found to amount to no leſs than 36,000 effective men, Engliſh and foreigners. The King immediately began his march to Dundalk, afterwards advancing to Ardee; which the Iriſh with the late King at their head quitted upon his approach, and repaſſed the Boyne, encamping in a very advantageous ſituation on the ſouthern banks of the river. The Iriſh army was by no means equal even in numbers, and much leſs in courage or diſcipline, to that of the Engliſh. But James, contrary to the advice of his officers, who propoſed ſtrengthening their garriſons and retiring beyond the Shannon, was determined to riſque a general engagement on this ſpot. The river was deep,

King embarks for Ireland.

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deep, and roſe high with the tide; and his front being farther ſecured by a moraſs and riſing ground, he could not be attacked without manifeſt diſadvantage; ſo that he expreſſed much confidence of ſucceſs, and declared the ſatisfaction he felt in this opportunity of fighting one fair battle for his Crown." On the 30th of June King William encamped at break of day with his whole army on the northern ſide of the Boyne, with a full reſolution, notwithſtanding the remonſtrances of Marechal Schomberg, to paſs the river and attack the enemy on the next day. Upon reconnoitring the enemy's camp, the King made at one place ſo long a ſtop, that it was perceived by a party of horſe on the oppoſite ſide; who bringing a couple of field pieces to bear upon him, at the firſt diſcharge killed a man and two horſes very near to his perſon, and by the ſecond the King himſelf was ſlightly wounded, the ball grazing his right ſhoulder. This William treated as a trifle, but it occaſioned great confuſion amongſt his attendants; and the report of his death flew rapidly to Dublin, and even to Paris, where it was celebrated with bonfires and illuminations. The King rode through the ranks by torch-light, previous to his retiring to his tent, in order by ocular demonſtration to excite the moſt perfect conviction of his ſafety. The plan of the battle, without any previous communication, being tranſmitted by the King to Marcchal Schomberg late in the evening, that General received it with marks of diſſatisfaction and diſcontent—declaring that it was the firſt which had ever been ſo ſent to him.

Victo y of the Boyne.

Early in the morning of the 1ſt of July 1690, the army paſſed in three bodies at Sloane to the weſtward, Old Bridge in the centre, and certain fords nearer Drogheda to the left. The different diviſions of the Engliſh army ſeemed to vie with each other in gallantry, and with great reſolution repulſed the attempts of the Iriſh to impede the paſſage. M. Caillemotte, a French refugee officer of great merit, receiving a mortal wound at the head of his regiment, was carried back to the Engliſh camp, and, meeting others croſſing the river, encouraged them by exclaiming "A la gloire, mes enfans—à la gloire!" M. Schomberg perceiving the French Proteſtants expoſed, and in ſome diſorder, from the loſs of their commander, paſſed the river in haſte without his armor, with all the ardor of

youth, to put himſelf at their head. But the battle in this quarter being peculiarly hot and bloody, the Marechal in a ſhort time fell; whether by the fire of his own men, as was generally believed, or of the enemy, could not in that ſcene of carnage and confuſion be clearly aſcertained. This celebrated perſonage was regarded as one of the firſt military characters of the age; and he poſſeſſed all the virtues and accompliſhments of a hero. He was nobly rewarded in England, for ſervices expected, rather than performed by him, with a dukedom and a parliamentary donation of 100,000l. Walker the clergyman, who had rendered himſelf ſo famous by his defence of Londonderry, alſo loſt his life in this action, glorioufly combating in the cauſe of his country. Inflamed by the irreſiſtible impulſe of military enthuſiaſm, he could not, after that his brows were encircled with the laurel wreath of victory, reconcile himſelf to his former habitudes—and with him the GOWN ceded to ARMS. The courage, activity and preſence of mind of the King himſelf were extremely conſpicuous during the whole of this engagement; in the courſe of which he repeatedly charged the enemy ſword in hand. An Engliſh ſoldier in the heat of the battle pointing his piece at the King, he turned it aſide without emotion, ſaying only, "Do you not know your friends?" The day was far advanced, when the Iriſh at length began to retire on all ſides; and General Hamilton, who commanded the horſe, making a furious charge, in the deſperate hope of retrieving the battle, was wounded and taken priſoner. On being brought into the preſence of the King, who knew him to be the life and ſoul of the Iriſh army, William aſked him "if he thought the enemy would make any farther reſiſtance?" to which Hamilton replied, "Upon my *honor*, I believe they will." The King, eyeing him with a look of diſdain, repeated "Your HONOR!" but took no other notice of his treachery. The Iriſh now quitted the field with precipitation; but William having neglected the advice of M. Schomberg to ſecure the paſs of Duleek in the rear, they ſuffered little comparative loſs in their retreat, which was covered by the French and Swiſs troops under M. de Lauzun. The King alſo, recalling his troops from the purſuit, expreſſed himſelf averſe to the unneceſſary effuſion of blood.

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The rival Monarch, far from contending for the prize of empire in the ſame ſpirit of heroiſm, kept his ſtation with a few ſquadrons of horſe on the hill of Dunore, to the ſouth of the river, viewing through a teleſcope from the tower of the church the movements of the two armies. On receiving intelligence from Count Lauzun that he was in danger of being ſurrounded, he marched off to Dulcek, and thence in great haſte to Dublin. On his arrival in that city he aſſembled the Magiſtrates and Council, and told them, with equal indiſcretion and ingratitude, "that the army he had depended upon had baſely fled the field, nor could they be prevailed upon to rally, though the loſs in the defeat was but inconſiderable; ſo that henceforward he determined never more to head an Iriſh army, but reſolved to ſhift for himſelf, as they themſelves muſt alſo do." Having ſtaid at Dublin one night, he departed for Waterford, attended by the Duke of Berwick, the Marquis of Powis, and the Earl of Tyrconnel—ordering the bridges to be broken down every where behind him. At Waterford he embarked on board a French veſſel, and was quickly conveyed to his former reſidence in France. This daſtardly conduct expoſed him to the perſonal contempt of thoſe who were moſt ſtrongly attached to his cauſe—Colonel Sarsfield, as it is ſaid, declaring "that if they could change Kings he ſhould not be afraid to fight the battle over again." Immediately conſequent to the victory, Drogheda was inveſted; but though the Governor ſeemed at firſt reſolute to defend the place, upon being told that if he compelled the King to bring up his heavy cannon he muſt expect no quarter, he thought proper to ſurrender. On the 5th of July the King encamped at Finglaſs, within two miles of Dublin, where he received advice of King James's flight to Waterford, and ſubſequent embarkation for France. The principal Catholics having alſo abandoned the metropolis, the Proteſtants had recovered their aſcendency; and a deputation being ſent requeſting the King to honor the city with his preſence, he made his public entrance the next day into Dublin, where he was received with triumphal acclamation.

King James abandons Ireland.

Succeſſes of King William.

The Iriſh army had now retired in confuſion towards Athlone, a ſtrong town on the banks of the Shannon. Dividing his forces, therefore, the King

King detached General Douglas to purſue the flying enemy, proſecuting himſelf his march to the ſouthward, and taking poſſeſſion ſucceſſively of the towns of Carlow, Kilkenny and Waterford, acquiſitions of great importance. About this period, a proclamation of grace and pardon was publiſhed, which the King was deſirous to have made much more comprehenſive; for the general and vague exception it contained, of "the deſperate leaders of the preſent rebellion," rendered it wholly nugatory: but the King was told by thoſe vultures in human ſhape who prey upon property, and are ravenous for confiſcations, that there was a neceſſity for breaking the power of the great Iriſh chieftains. General Douglas having reached Athlone on the 17th of July ſummoned the town to ſurrender; but Colonel Grace the Governor, undaunted by the ill ſucceſs which had recently attended their arms, fired a piſtol at the trumpeter, ſaying "Theſe are my terms." The Engliſh General on this reſolved on undertaking the ſiege of the place: but his force was not adequate to the enterpriſe; and after battering the caſtle for ſome days with little effect, he haſtily withdrew his troops, finding that General Sarsfield was on his march to relieve the fortreſs, at the head of 15,000 men. But the principal object of the campaign, now far advanced, was the reduction of the important city of Limerick, in the vicinity of which the Iriſh had concentrated the far greater part of their force. The town is ſituated partly on an iſland in the midſt of the Shannon, which is here very broad and deep, with ſuburbs extending to both the oppoſite ſhores—the three diviſions being connected by bridges. The fortifications had been lately ſtrengthened by additional outworks conſtructed under the direction of French engineers. The garriſon conſiſted of no leſs than fourteen regiments of foot, excluſive of horſe and dragoons; and the remainder of the Iriſh army, now recovered from its conſternation, with the French auxiliaries to the amount of many thouſands, lay at a ſmall diſtance waiting and watching the favorable opportunities of attack. Poſſibly the King, judging from the uninterrupted career of ſucceſs he had hitherto experienced, might be prompted to hold the talents and reſources of the enemy too cheap. A junction being formed between the King's forces and thoſe employed in the attack of Athlone, within a few miles of Limerick; the

Siege of Athlone raiſed:—

and of Limerick.

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city was inveſted with trivial oppoſition on the 9th of Auguſt 1690: and a ſummons being ſent to the Governor M. Boiſſeleau, that officer replied, "that he thought the beſt way to gain the Prince of Orange's good opinion, was by a vigorous defence of the fortreſs entruſted to his care." The ſiege was now proſecuted with great diligence, and the place defended with equal reſolution; but a moſt diſaſtrous incident took place in the ſurpriſal, by General Sarsfield, of almoſt the whole train of heavy artillery deſtined for the beſieging army, and the total deſtruction of the carriages, waggons and ammunition; after having previouſly attacked and cut in pieces the detachment by which the convoy was guarded. The event of the ſiege was from this time very doubtful. At length, a breach having been made of about 12 yards in breadth, the King ordered a general aſſault. But the courage of the enemy ſeemed on this occaſion to riſe to fury. After being driven from the counterſcarp, they returned to the attack with an impetuoſity never exceeded; the very women ruſhing forwards and encouraging the ſoldiers of the garriſon with Amazonian fortitude. In fine, the Engliſh were repulſed with the loſs of 1200 of their choiceſt troops: and the operations of the beſiegers being alſo impeded by the weather, which had now become very unfavorable, the King gave orders, in two days after this unſucceſsful attempt, to raiſe the ſiege; and the army retreated towards Clonmell. Having conſtituted Lord Sydney and Sir Thomas Coningſby Lords Juſtices of Ireland, and leaving the command of the army with Count Solmes, who ſoon after reſigned it into the able hands of General Ginckel; his Majeſty embarked at Duncannon on the 5th of September 1690, for England, and arrived ſafely within a few days at Windſor.

King returns to England.

Earl of Marlborough captures Cork and Kinſale.

In the courſe of the autumn, the Earl of Marlborough, who had already diſtinguiſhed himſelf by his military talents, gained great increaſe of fame by a ſucceſsful attack on Cork and Kinſale with 5000 troops from England, joined, agreeably to the project he had formed, by 5000 more in Ireland. By the capture of theſe cities, all connection between Ireland and France on that ſide was cut off; and the Earl of Marlborough returned to England covered with laurels, having been abſent on this important

portant expedition only thirty-ſeven days. The Duke of Grafton, natural ſon of the late King Charles II. a young nobleman highly amiable and accompliſhed, fell bravely fighting in the firſt of theſe attacks. When the Earl of Marlborough was introduced to the King at Kenſington on his return, that Monarch, far from appearing jealous of his ſucceſs, beſtowed upon him the higheſt encomiums, and declared that he knew no man ſo fit for a general who had ſeen ſo few campaigns.

In order to avoid the neceſſity of reverting to the Iriſh war, which was protracted to a late period of the ſucceeding year, it may be proper here to ſubjoin the principal occurrences which took place from the departure of the King, to its final termination. Although it had been the object of the King's anxious ſolicitude to reſtrain the ravages of the ſoldiery, divers examples of great ſeverity being made by him during his reſidence in Ireland; the moſt atrocious exceſſes were, as is univerſally acknowledged, committed during the winter upon the helpleſs inhabitants; and it was difficult to aſcertain whether they ſuffered more from their Catholic oppreſſors, or their Proteſtant protectors. Between them the country was dreadfully haraſſed, and the ſtock of cattle and corn in many parts almoſt entirely deſtroyed. About the beginning of June 1691, General Ginckel, being now reinforced by a conſiderable body of troops from Scotland under General Mackay, took the field, and immediately directed his march to Athlone, taking in his way the town of Ballymore, which was fortified and garriſoned as a ſort of advanced poſt, and on the 18th ſat down before Athlone. The town is divided into two parts by the Shannon: that which is ſituated to the eaſtward of the river was ſoon carried by aſſault; but the chief ſtrength of the beſieged lay in the fortifications on the Connaught or Iriſh ſide, defended by a caſtle which could not be approached but by forcing the paſſage of the river; and ſeveral vigorous attempts were made, though unattended with ſucceſs, to gain poſſeſſion of the bridge. This ſomewhat diſheartening the troops, a Council of War was held on the 30th, to determine whether it would not be adviſable to raiſe the ſiege. On which the Generals Mackay, Talmaſh, Rouvigny, &c. urged that no brave action could be performed without

Command devolves on Gen. Ginckel.

Athlone taken.

 hazard,

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hazard, and gave it as their opinion that the attack on the bridge ſhould be given up, and the paſſage of the river attempted at a ford a little below the bridge; and they offered themſelves to head the troops which ſhould be deſtined to the ſervice. General Ginckel, who well knew what wonders military enthuſiaſm can perform, acceded to an offer which a too conſiderate commander would have deemed romantic and impracticable. The fords of the Shannon are few and dangerous. That in queſtion was only wide enough for twenty men to march abreaſt. The bottom was rocky, the ſtream flowing with prodigious rapidity, and riſing in the ſhalloweſt part nearly breaſt high. On the oppoſite ſhore was a baſtion raiſed to defend the paſs. In order to deceive the enemy, the troops were not drawn out till ſix o'clock, the uſual time of relieving guard; and on ringing the church bell, the cuſtomary ſignal, a detachment of grenadiers, ſupported by ſix battalions of infantry, commanded by the Prince of Wirtemberg, the Generals Mackay, Tetteau, and Talmaſh, who ſerved that day as a volunteer, entered the water by twenties, to the aſtoniſhment of the Iriſh, who immediately began a very heavy fire from all their forts and batteries. General Sarsfield communicating in haſte to M. St. Ruth, now Commander in chief of the combined armies of French and Iriſh lying at the diſtance of a few miles from the town, that the Engliſh were actually attempting the paſſage of the river, and demanding immediate ſuccours; St. Ruth treated the intelligence very lightly, and affirmed the thing to be impoſſible. "They dare not make ſuch an attempt," ſaid he, "and *I* ſo near! I would give 1000 piſtoles to find it true." Sarsfield, amazed at the vanity and incredulity of this Commander, told him, "he would find Engliſh courage capable of attempting any thing." Unappalled at the dangers which ſurrounded them, the aſſailants gradually advanced forward, in the face of a moſt tremendous fire; and having at length forced their way and gained the oppoſite bank, the reſt of the army ſoon followed on pontoons, and planks thrown acroſs the broken arches of the bridge. The Iriſh, ſeized with conſternation, ſcarcely attempted reſiſtance; and in half an hour the town was in poſſeſſion of the beſiegers, with the works, which remained entire towards the enemy's camp. St. Ruth now made a late and vain attempt to diſlodge the Engliſh:

Engliſh: but the cannons of the garriſon were by this time turned againſt him; and on that very night he decamped with his whole army without beat of drum, and took a new and very ſtrong poſition in the neighbourhood of Aghrim, reſolving there to riſque the fate of a general engagement.

Victory of Aghrim.

The Iriſh camp was extended two miles on the ridge of a hill, with a moraſs in front, paſſable only by a narrow central path, croſſed by the river Suke, and defended at the extremity by the caſtle of Aghrim; on their left were ſteep hills riſing among ſwamps; and on the right was a paſs defended by two old forts about half a mile from the moraſs, the interval being occupied by many ſmall encloſures lined with muſqueteers. General Ginckel, having viewed the enemy's poſition, declared his determination to attack them, for that a retreat muſt be attended with loſs and diſgrace. St. Ruth on his part, perceiving the preparations made for that purpoſe, exerted all the efforts of an able commander to counteract them, making an harangue to his troops well calculated to produce upon minds ſo groſs and barbarous a very powerful effect. "He told them how ſucceſsful he had been in ſuppreſſing hereſy in France, and bringing over a vaſt number of deluded ſouls into the boſom of the Church. That for this reaſon his maſter had made choice of him before others to eſtabliſh the Church of Ireland on ſuch a foundation that it ſhould not henceforward be in the power of hell or heretics to diſturb it: and that all good Roman Catholics depended on their courage to ſee theſe glorious things effected. He confeſſed that matters did not entirely anſwer his expectation ſince he came among them, but that ſtill all might be recovered. That he was informed the Prince of Orange's heretical army was reſolved to give them battle; that now or never was the time for them to recover the loſt honors, privileges, and eſtates of their anceſtors; that they ought now to remember they were no mercenary ſoldiers; their all being at ſtake, and their deſign to reſtore a pious King to his throne, to propagate the holy faith, and extirpate hereſy. And laſtly, to animate their courage, he aſſured them of King James's love and gratitude, of Louis the Great's protection, of himſelf to lead them on, of the Church to pray for

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for them, and of ſaints and angels to carry their ſouls into heaven." He cloſed his ſpeech with a ſtrict order to give quarter to none, eſpecially not to ſpare any of the French heretics in the Prince of Orange's army. He took likewiſe the moſt effectual way poſſible to infuſe courage into the Iriſh, by ſending their prieſts among them to animate them by all the methods they could think of; and eſpecially, as the moſt powerful and impreſſive, making them ſwear on the ſacrament never to forſake their colors.

About eleven in the morning of the 12th of July (1691), being Sunday, the Engliſh army advanced to the edge of the moraſs with a view to force the paſſes, which were defended by the enemy with ſurpriſing and enthuſiaſtic reſolution. No ground, after ſeveral hours' conteſt, being gained, a feint was made on the enemy's left; on which large reinforcements being ſent by St. Ruth to that quarter, to the weakening of the right and centre, the paſſes after much effuſion of blood were ultimately forced. No ſooner, however, had the Engliſh obtained firm footing on the other ſide of the moraſs and begun to aſcend the hill, than the main body of the enemy fell upon them with ſuch fury, that the aſſailants were compelled to retreat with precipitation into the moraſs; at the ſight of which St. Ruth cried out in a bravado, "Now will I drive the Engliſh army back to the gates of Dublin." Reinforcements arriving, however, the Engliſh again rallied; and the enemy at the ſame inſtant ſuſtaining an irreparable loſs by the death of their General, who, ſtill confident of victory, was, by one of thoſe accidents which mock all calculation, taken off by a random ball, the fate of the battle was at once decided. Sarsfield, next in command, but to whom St. Ruth had not deigned to communicate his diſpoſitions, was unable to counteract the deſpair of the moment. The camp was abandoned, and great ſlaughter was made by the cavalry and dragoons in the purſuit.

The Engliſh army marched forward with all expedition to Galway, which made no memorable reſiſtance. But Limerick, now the laſt reſource of the Iriſh nation, diſplayed, under the gallant auſpices of Sarſfield,

field, every ſymptom of determined and heroic fortitude. On the 26th of Auguſt that city was a ſecond time inveſted on the Munſter ſide; two days previous to which died within its walls the Earl of Tyrconnel, at one period ſo conſpicuous in Iriſh hiſtory, but who had become odious to the French by his treachery, and to the Iriſh by his puſillanimity in exhorting his countrymen to an accommodation, ſince, as he ſaid, their ruin was otherwiſe inevitable. His admonitions were thought to have more weight after his death than during his lifetime. The operations of the army were ſeconded by a ſquadron of ſhips of war, which ſailed up the Shannon and did conſiderable ſervice. The ſiege being preſſed for near a month and little advance made, the enemy receiving continual ſupplies from the other ſide of the river; General Ginckel, at the head of a large diviſion of the army, paſſed the Shannon over a bridge of boats on the 22d of September, ſome miles above the town, leaving the Prince of Wirtemberg, Mackay, and Talmaſh to command on the other ſide; and, after ſeveral bloody encounters, ſucceeded in effecting the complete inveſtment of the city. The garriſon now ſeemed to think only how to ſecure the beſt terms for themſelves. And General Ginckel, well knowing the beneficent inclinations of the King in that reſpect, as well as his ſolicitude to bring the war in Ireland to a concluſion, acceded without difficulty to terms not indeed in the eſtimate of moderation and wiſdom too favorable, but far more ſo than in their ſituation it was reaſonable to hope.

Capitulation of Limerick.

On the firſt of October (1691), the Lords Juſtices arrived in the Engliſh camp; and on the 3d the articles were ſigned. The capitulation of Limerick is ſtill famous in Iriſh hiſtory. In it is comprehended not the ſurrender of Limerick merely, but of all the forts, caſtles and garriſons ſtill in poſſeſſion of the Iriſh. In return for which, among many other regulations of ſubordinate importance, a general indemnity is granted; and they are reinſtated in all the privileges of ſubjects, on condition of taking the oaths of allegiance, without being required to take the oath of ſupremacy. They were alſo reſtored to the enjoyment of ſuch liberty in the exerciſe of religion as was conformable to that which they poſſeſſed in

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in the reign of Charles II. All officers and ſoldiers in the ſervice of King James deſirous to go beyond ſea were to be furniſhed with paſſports, convoys, and carriages by land and water, to the amount of 70 tranſport veſſels, accompanied, for their protection and the accommodation of the officers, by two ſhips of war—and they likewiſe had liberty to tranſport 900 horſes. It was alſo conceded, that no perſon ſhould be impleaded for any treſpaſs committed, or rents received or enjoyed, ſince the commencement of the war. The inhabitants of Limerick and other garriſons were empowered to remove their goods and chattels, without ſearch, viſit, or payment of duty. Finally, it was agreed that all priſoners of war ſhould be ſet at liberty. The Lords Juſtices, conſcious that they had ventured beyond the utmoſt limit of their legal powers, engaged that their Majeſties would uſe their endeavors that theſe articles ſhould be ratified and confirmed in Parliament. The military commanders on their part allowed all the reſpective garriſons to march out of the towns and fortreſſes yet in their poſſeſſion, with the honors of war.

Such were the terms which this devoted portion of a great and generous but unfortunate nation, who had diſplayed a firmneſs and gallantry worthy of a far better cauſe, obtained from the wiſdom and benignity of the Britiſh Monarch. But great offence was taken at theſe articles, by the malignity of ſome, and the rapacity of others, who hoped and expected to have converted the whole country, for their own individual emolument, into one tremendous maſs of miſery, confiſcation, and ruin. For to ſuch a ſtate of ſelfiſh and remorſeleſs depravity may human nature be degraded, that, to uſe the forcible language of Lord Bacon, "there are thoſe who would not heſitate to ſet their neighbor's houſe on fire, merely to roaſt their own eggs by the flames." The many thouſands who retired to the continent, left behind them, however, ſufficient property to gratify any ordinary luſt of wealth or vengeance: and the refugees were received, on their arrival in France, with that kindneſs and generoſity which happily on ſo many occaſions ſerve to ſoften the traits of the dark and terrific character of Louis XIV. General Ginckel was ſolemnly thanked by Parliament for his ſervices; and the titles of Earl of

Athlone and Baron Aghrim were conferred upon him, in perpetual commemoration of his heroic achievements.

BOOK I.
1690.

On the King's departure for Ireland, the Queen was conſtituted ſole Regent, with a Cabinet Council conſiſting of nine perſons, four of whom were Whigs *—but the real power was ſuppoſed to reſide in the Lords Carmarthen and Nottingham. The Whigs, therefore, had little reaſon to be ſatisfied with this arrangement. The Queen had hitherto led a very private and domeſtic life, occupied with the amuſements of reading and working with her ladies of honor; very charitable and exemplary in her ſocial and religious duties, wholly inattentive to political tranſactions. But it now appeared that ſhe was by no means deſtitute of talents for buſineſs; and, notwithſtanding the perpetual conflict between the two State factions, ſhe governed with ſuch mildneſs, which on no occaſion degenerated into weakneſs; and mediated with ſuch addreſs, without any tincture of duplicity or artifice, that by a rare fortune ſhe roſe higher than ever in the eſtimation of both. Endowed with all the accompliſhments of her ſex, ſhe conciliated the moſt ſtubborn by the engaging affability of her manners. Dignified in her perſon, of a pleaſant and cheerful countenance, frank and noble in her manners, above all diſguiſe and concealment, ſtudying only how to promote the welfare and happineſs of the nation who had raiſed her to her preſent exalted pre-eminence, and to deſerve their love and confidence—hiſtory exhibits perhaps no character which will endure the teſt of a more rigorous inveſtigation. How unjuſtly ſhe has been accuſed of a want of ſenſibility, her letters to the King her huſband clearly demonſtrate. During the Iriſh war, notwithſtanding the complacency of her outward deportment, her heart was torn with apprehenſion and ſolicitude; and the intelligence of the victory of the

Queen conſtituted Regent.

Her amiable character and diſcreet conduct.

* Theſe were the Marquis of Carmarthen, Preſident of the Council; the Earl of Nottingham, Secretary of State; the Earl of Pembroke, who had ſuperſeded Admiral Herbert, created Earl of Torrington, in the Admiralty; Sir John Lowther, Firſt Commiſſioner of the Treaſury; and the Earl of Marlborough, who were all accounted of the Tory party. The Whigs were the Earl of Devonſhire, Lord Steward; Earl of Dorſet, Lord Chamberlain; the Earl of Monmouth, and Mr. Edward Ruſſel.

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Boyne appeared, as the Earl of Nottingham informs us, to afford her no pleaſure till he aſſured her of the ſafety of the King her father.

Naval defeat off Beachy Head.

The firſt great object of the Government during the Regency was to fit out a fleet, equal at leaſt to that which the French were preparing in the harbor of Breſt. In this, however, the Engliſh Admiralty was not ſucceſsful. By the ſurpriſing exertions of M. de Seignelay, the Marine Miniſter of France, a fleet of no leſs than 78 ſhips of the line, commanded by the Count de Tourville, entered the Engliſh Channel, and were diſcovered off Plymouth on the 20th of June 1690. The Earl of Torrington, commander in chief of the combined ſquadrons of Engliſh and Dutch, fell down to St. Helens, in order to give the enemy battle, though inferior in force by no leſs than 22 ſhips of the line; thirty ſhips of war lying in Plymouth Sound not being able to join them. Lord Torrington, extremely chagrined at this diſappointment, would have avoided an engagement: but the Queen was over-perſuaded to ſend him poſitive orders to fight; ſo that, ſtanding far up the Channel, he again bore down upon the enemy off Beachy-head, on the 30th of June, making two hours after day-break the ſignal for battle, which the French were not diſpoſed to decline. The Dutch ſquadron, which led the way, were ſoon engaged with the van, and the blue diviſion of the Engliſh with the rear of the French; but the red, which formed the centre, under the command of Torrington in perſon, could not, or at leaſt did not, come into action till ten: and even then a wide interval was left between the centre and the van; of which the French took the advantage, and ſurrounded the Dutch ſhips in ſuch a manner, that they would have been entirely cut off or deſtroyed had not the centre diviſion at length bore down to their aſſiſtance, and drove between them and the enemy. About five in the afternoon the action was interrupted by a calm; and the Engliſh Admiral, perceiving how ſeverely the fleet had ſuffered, thought it expedient to wave a renewal of the engagement; and weighing anchor at the cloſe of day, he retired eaſtward with the tide of flood. The French, who had neglected to anchor, drifted to the weſtward, and in the morning were deſcried at almoſt viewleſs diſtance: and purſuing alſo in a regular line

of

of battle, leſs damage was ſuſtained than there was reaſon to apprehend. They nevertheleſs followed as far as Rye; and the Engliſh were compelled to burn the diſabled ſhips, that they might not fall into the hands of the French. Upon the whole, this was the moſt ſignal victory ever gained by the French over the Engliſh upon their own element. Such, indeed, was the heroic bravery with which the van and rear diviſions fought, oppreſſed as they were with the ſuperiority of numbers, that no veſſel would ſtrike its colors: but three Dutch line of battle ſhips were ſunk in the engagement, and three more ſtranded and burnt in the purſuit; beſides two ſhips loſt by the Engliſh. The Gallic Admiral giving over the farther chaſe as fruitleſs, the Earl of Torrington brought the ſhattered remains of his fleet into the Thames, whence, devolving the command upon Sir John Aſhley, he immediately repaired to the metropolis, which he found in a ſtate of the greateſt conſternation; he himſelf being the chief object of the popular rage and reſentment. Nothing leſs than an immediate invaſion was expected; but the French fleet, after inſulting the coaſts now wholly defenceleſs, made the beſt of their way back to the harbor of Breſt. BOOK I. 1690.

The conduct of the Queen in this critical emergency indicated great fortitude and ſpirit. She iſſued a proclamation, requiring the immediate ſervice of all able ſeamen and mariners, with bounties for rendering themſelves voluntarily, and penalties for diſobedience. She ordered a great number of new commiſſions for the army, and a camp to be formed in the vicinity of Torbay, where a deſcent was deemed moſt probable. She cauſed to be apprehended the Earls of Litchfield, Ayleſbury, Caſtlemaine, and the Lords Preſton and Bellaſis, with various other diſaffected perſons. She deprived the Earl of Torrington of his command, and ſent him priſoner to the Tower; and deputed an Envoy Extraordinary to the States General, to inform their High Mightineſſes, "how much ſhe was concerned at the misfortune which had befallen their ſquadron in the late engagement, and at their not having been ſeconded as they ought; which matter her Majeſty had directed to be examined into, in order to recompenſe thoſe that had done their duty, and to puniſh ſuch as ſhould

BOOK I. 1690.

be found to have deſerved it; that ſhe had directed 12 great ſhips to be fitted out, and hoped the States would do their utmoſt to reinforce their fleet in this conjuncture." How far the Earl of Torrington, allowed to be one of the beſt and braveſt ſeamen of his time, was cenſurable in this buſineſs, ſeems not perfectly clear. The Dutch exclaimed againſt him with the bittereſt acrimony, and the French accounts repreſent him as extremely deficient in naval conduct. The Earl of Nottingham, in his official letter to Lord Durſley Ambaſſador at the Hague, expreſsly charges him with treachery; and the Earl of Torrington, on the other hand, brought an accuſation againſt Nottingham for purpoſely ſuppreſſing the neceſſary intelligence. After lying many months in the Tower, he was at laſt brought to a trial by a Court Martial, and, to the indignation of the country, acquitted; but the King diſmiſſed him from the ſervice, and he never afterwards recovered any ſhare of reputation *.

On

* It muſt be confeſſed, that Lord Torrington's official letter off Beachy to Lord Carmarthen is extremely vague and unſatisfactory. He only ſays, "That on the preceding day, *according to her Majeſty's order*, they had engaged the enemy's fleet. The Dutch had the van. By the time they had fought two hours, it fell calm; which was a great misfortune to them all, but moſt to the Dutch, who being moſt diſabled, it gave the French an opportunity of deſtroying all their lame ſhips; which he had hitherto prevented by falling with the red ſquadron between them and the enemy." He acknowledges, nevertheleſs, "it is utterly impoſſible to make good their retreat, if preſſed by the French;" and exclaims, "I pray God ſend us well off!" "Had I," ſays he, "undertaken this of my own head, I ſhould not well know what to ſay; but it being done by *command* will, I hope, free me from blame."

On the 2d of July 1690, the Queen, in a private letter to the King, thus expreſſes herſelf: "What Lord Torrington can ſay for himſelf, I know not; but I believe he will never be forgiven. The letters from the fleet, before and ſince the engagement, ſhew ſufficiently he was the only man there who had no mind to fight; and his not doing it was attributed to orders from hence. I am more concerned for the honor of the Nation, than any thing elſe. But I think it has pleaſed God to puniſh them juſtly; for they really talked as if it were impoſſible for them to be beaten."—On the intelligence of the victory at the Boyne, the Queen writes, July 17: "How to begin this letter I do not know, or how ever to render God thanks enough for his mercies. Indeed they are too great, if we look on our deſerts: but, as you ſay, it is his own cauſe; and ſince it is for the glory of his great Name, we have no reaſon to fear but he will perfect what he has begun. When I heard the joyful news from Mr. Butler, I was in pain to know what was become of the late King, and durſt not aſk him. But when Lord Nottingham came, I did venture to do it, and had the

ſatisfaction

1690. Seſſion of Parliament.

On the 2d of October 1690 the Engliſh Parliament aſſembled at Weſtminſter; and the leading topics of the Speech from the Throne were the ſucceſs of the war in Ireland, the late naval defeat, and the neceſſity of acting with vigor in ſupport of the confederacy abroad. The moſt loyal Addreſſes were returned, and extraordinary ſupplies voted, to the amount of four millions—at that time the largeſt ſum ever aſked, or given to a King of England, in one ſeſſion. And in order that the money thus liberally beſtowed might be honeſtly expended, a Committee of Accounts was at the ſame time inſtituted, conſiſting of nine members of the Houſe of Commons, inveſted with full powers to ſummon whatever perſons they thought proper, and to tender them an oath to anſwer all ſuch

ſatisfaction to know he was ſafe. I know I need not beg you to let him be taken care of, for I am confident you will for your own ſake; yet add that to all your kindneſs, and for my ſake let people know you would have no hurt come to his perſon."——Auguſt 5th: "We have received many mercies, God ſend us grace to value them as we ought! But nothing touches people's hearts here enough to make them *agree*; that would be too much happineſs."——Auguſt 19th: "Holland has really ſpoiled me in being ſo kind to me. That they are ſo to you, 'tis no wonder. Would to God it were the ſame here!"——Auguſt 26th: "I am in greater fears than can be imagined by any who loves leſs than myſelf. I count the hours and the moments, and have only reaſon enough left to think that as long as I have no letters all is well. Yet I muſt ſee company upon my ſet days, I muſt play twice a week, nay I muſt laugh and talk though never ſo much againſt my will. I believe I diſſemble very ill; yet I muſt endure it. All my motions are ſo watched, and all I do ſo obſerved, that if I eat leſs, or ſpeak leſs, or look more grave, all is loſt, in the opinion of the world."

Dalrymple's State Papers.

King William told the Duke of Leeds before his departure for Ireland, as Lord Dartmouth in his MS. memorandums on Biſhop Burnet's Hiſtory informs us, "that he muſt be very cautious of ſaying any thing before the Queen that looked like a diſreſpect to her father, which ſhe never forgave; and that the Marquis of Halifax had loſt all manner of credit with her for his unſeaſonable jeſting upon this ſubject. That he, the Duke, might depend upon what ſhe ſaid to him to be ſtrictly true, though ſhe would not always tell the whole truth; and that he muſt not take it for granted that ſhe was of his opinion every time ſhe did not think fit to contradict him." This Princeſs, aſking the cauſe of her father's reſentment againſt M. Jurieu, was told by Biſhop Burnet, "that it was on account of ſome indecencies ſpoken of Mary Queen of Scots." On which ſhe replied, "Jurieu muſt ſupport the cauſe he defends, in the beſt way he can. If what he ſays of the Queen of Scots be true, he is not to be blamed for the uſe he makes of it. If Princes will do ill things, they muſt expect the world will take revenge on their memories, ſince they cannot reach their perſons."

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queſtions as ſhould be required of them. In the month of November Lord Sydney was appointed Secretary of State, in the room of the Earl of Shrewſbury; and Lord Godolphin First Lord of the Treaſury, in the room of Sir John Lowther. This nobleman was one of thoſe rare characters, upon which the tooth of malice knows not how to faſten. Though ſtrongly attached to the Tory party, and even ſuſpected of a predilection to the intereſts of the late King, in whoſe favor he had ſtood very high; ſuch was the clearneſs of his head, and the incorruptibility of his heart, that the choice now made ſeemed to give great and almoſt univerſal ſatisfaction. He had been employed in the buſineſs of the Treaſury, by the two laſt Sovereigns, with the higheſt reputation to himſelf, and advantage to the public; and his example, yet more than his authority, would, it was hoped, reſtrain thoſe abuſes which, in ſituations expoſed to perpetual temptation, it will ever be found impracticable wholly to eradicate.

Lord Godolphin appointed First Commiſſioner of the Treaſury. His character.

The King was now impatient to repair to the Grand Congreſs appointed to be held at the Hague during the preſent winter. On the 5th of January 1691, therefore, he came to the Houſe, and, communicating his intentions in a very handſome ſpeech, gave his aſſent to the Bills which were ready, and put an end to the ſeſſion. Early in the ſame month the King embarked at Graveſend, under convoy of a powerful ſquadron commanded by Admiral Sir George Rooke; and on the 18th about noon, being informed by a fiſherman that Goree was diſtant only a league and a half, his Majeſty reſolved to quit the yacht and go on board a ſhallop, attended by the Duke of Ormond, the Earls of Devonſhire, Dorſet, Portland, and ſeveral other perſons of diſtinction. But, a thick fog coming on, and the coaſt being ſurrounded with ice, they were not able to make the ſhore, and for the ſpace of 18 hours, expoſed to the inclemency of a winter's night, were toſſed about at the mercy of the winds and waves. The ſea ran very high, and the danger was extreme: but the fortitude and even heroiſm of the King, in this ſituation, did not for a moment forſake him. On hearing ſome of the ſailors expreſs their apprehenſion of the event, "Are you then," ſaid he, "afraid to die in my company?"

King embarks for the Continent:

is in danger of ſhipwreck.

pany?" Soon after day-break, however, they made good their landing on the iſland of Goree, and about ſix in the evening arrived at the Hague; where he was received with tranſports of joy, and immediately complimented by the States General, the States of Holland, the Council of State, the other Colleges, and the Foreign Miniſters. On the 26th he made his public entry by deſire of the Magiſtrates; ſeveral triumphal arches having been erected to repreſent his achievements, and all the Burghers appearing in arms with unuſual magnificence. In the evening, fireworks were exhibited, and the cannon fired on the Viverborg oppoſite his palace, and bonfires lighted through the whole town. Two days after, the King went to the Aſſembly of the States General, and addreſſed them in an affectionate ſpeech, in which he reminded them, "that the laſt time he was with them he had declared his intention of going over to England, to deliver that kingdom from the evils with which it was threatened—That GOD had ſo bleſſed his juſt intentions, that he had met with ſucceſs, even beyond his hopes—That the Engliſh having offered him the Crown, he had accepted it, as GOD was his witneſs, not out of ambition, but ſolely to preſerve the religion and laws of the three kingdoms; and to be able to aſſiſt his allies, and eſpecially the United Provinces, againſt the power of France—That he could have wiſhed to have aided them ſooner, but was prevented by the affairs of Ireland; which being now in a better condition, he was come to concert meaſures with the Allies, and to exerciſe the functions of Stadtholder." The reſt of his ſpeech conſiſted of expreſſions of his zeal and affection for the Republic. He was anſwered with the reſpect and acknowledgment due to a Prince who was looked upon as the father of his country, the deliverer of Europe, the preſerver of the Proteſtant religion, and the ſoul of the Grand Alliance.

Congreſs at the Hague.

After this, was opened the moſt extraordinary and ſplendid Congreſs of Princes and Miniſters which Europe had ever known. Of thoſe who attended in perſon, excluſive of the King of Great Britain, were the Electors of Brandenburg and Bavaria; the Dukes of Wirtemberg, Holſtein, Brunſwick, and Zell; the Landgraves of Heſſe-Caſſel and Darmſtadt; the Princes of Anhalt, &c. &c. The Ambaſſadors preſent were thoſe from

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from the Emperor, the Kings of Spain, Denmark, Sweden, and Poland; the Electors of Saxony, Treves, Mentz, Cologne, and the Elector Palatine; the Dukes of Savoy and Hanover; the Biſhops of Munſter, Liege, &c. &c. To this illuſtrious aſſembly his Britannic Majeſty addreſſed himſelf in an eloquent and pathetic ſpeech, repreſenting to them "the imminent dangers to which they were expoſed from the power and ambition of France. In the circumſtances they were in," he ſaid, "it was not indeed a time to deliberate ſo much as to act. Every one ought to be perſuaded, that their reſpective and particular intereſts were compriſed in the general one. If not oppoſed with united vigor, the enemy would like a torrrent carry every thing before them. Againſt ſuch power and ſuch injuſtice it was in vain to oppoſe complaints, or clamors, or unprofitable proteſtations. Nothing but the force of ſuperior armies could put a ſtop to his conqueſts, or reſcue Europe from the impending ruin. As to himſelf, he would neither ſpare his forces, credit, nor perſon, in ſo juſt and neceſſary a deſign. And he propoſed to appear, in the ſpring, himſelf at the head of the army of the Allies, and they might depend upon his royal word for the ſtrict performance of his engagements."

Actuated by the ſame ſpirit, and animated by the example of their head, the aſſembly came, without delay or heſitation, to the moſt vigorous reſolutions: and it was agreed to employ in the enſuing campaign 222,000 men againſt France, of which aggregate number each State was to furniſh its ſpecific and equitable proportion. The Congreſs broke up early in March; and it is remarked by hiſtorians, that no diſputes relative to precedency, or any perplexing etiquette of ſtate, ſo common in aſſemblies of this nature, impeded their deliberations. In the preſence of the King of England, whoſe character was marked by ſimplicity, who was above all oſtentation, and whoſe dignity deſcended not to call in the aſſiſtance of pride to its ſupport, thoſe frivolous and minute diſtinctions which appear in the eyes of the vulgar of all ranks ſo important, ſhrunk into their native nothingneſs.

The King, after paſſing ſome weeks at his favorite reſidence of Loo, embarked

1691.

Conſpiracy againſt the Government.

embarked for England, and arrived ſafely at Whitehall on the 13th of April (1691). The chief event which occurred during the abſence of the King, was the diſcovery of a conſpiracy againſt the Government, ill-concerted, indeed, and imperfectly digeſted. Notice being given to Lord Carmarthen by the owner of a veſſel at Barking in Eſſex, that it was taken up to carry ſome unknown perſons to France, it was ſo contrived that it ſhould be boarded under the pretext of ſearching for ſeamen the moment ſhe fell down to Graveſend; when three paſſengers were found in the hold, who proved to be Lord Preſton, Secretary of State to King James; Aſhton, who had occupied a place in the houſehold of the late Queen, and one Elliot. Certain papers which Aſhton attempted to throw into the ſea were alſo ſecured, and Lord Preſton's ſeal of office. Upon examining the papers, they were found of a very miſcellaneous nature. The moſt remarkable of them was ſtyled "The Reſult of a Conference between ſome Lords and Gentlemen, both Tories and Whigs, reſpecting the Reſtoration of King James,"—though, as the paper adds, "without endangering the Proteſtant religion, and civil adminiſtration according to the laws of this Kingdom." For ſuch was the rage of faction, as to prevent their diſcerning the utter incompatibility of theſe things; and even to caſt a veil over the deep moral and political guilt of endeavoring to ſubvert a Government lawfully eſtabliſhed, from motives of perſonal animoſity, intereſt or caprice. The counter-revolution in view being however profeſſedly founded on Whig principles, and deſigned to be carried into effect by the inſtrumentality chiefly of the Whig party, this ſtrange paper was drawn up in an high ſtrain of liberty, ſuch as would have given probably at the Court of St. Germaine's nearly as much offence as the moſt hoſtile manifeſto. "The natural wealth and power of theſe Kingdoms being," as it is expreſſed, "in the hands of the Proteſtants, the King may think of nothing ſhort of a Proteſtant Adminiſtration, nor of nothing more for the Catholics than a legal liberty of conſcience —He may reign a Catholic in devotion, but he muſt reign a Proteſtant in government—He muſt give us a model of this at St. Germaine's, by preferring the Proteſtants that are with him above the Catholics."—And from the general tenor of this paper, and of the declaration annexed, it is

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plain, that the Whigs concerned in this political intrigue—for with regard to them the buſineſs had not advanced, and in all probability never would have advanced farther—inſiſted upon nothing leſs, on the part of the King, than an entire ſurrender of himſelf into their hands. Amongſt a great number of letters, were two by Dr. Turner, Biſhop of Ely, to the King and Queen, under the names of Mr. and Mrs. Redding, full of expreſſions of high-flown loyalty, and aſſuring them "that he ſpoke the ſentiments of his *elder brother* and the reſt of his relations." In a paper of memorandums in the hand-writing of Lord Preſton were found the names of the Lords Dorſet, Cornwallis, Montague, Stamford, Shrewſbury, Macclesfield, Monmouth, Devonſhire—immediately after which follow the words "In February the King come to Scotland—endeavor to unite the Epiſcopal and Preſbyterian parties—land at Leith—the Scots army, not a French one—5000 good Swediſh foot—the reputation of a Proteſtant ally—two months to ſettle Scotland—leave all to free Parliament, &c. &c."—From theſe dark and doubtful hints men were left to draw their own variable concluſions.

Elliot found means to make his peace with Government: but the other delinquents were brought to their trials before Lord Chief Juſtice Holt; and both Lord Preſton and Mr. Aſhton were pronounced guilty. The latter, a blind and honeſt bigot, ſuffered with great reſolution; but the former, who was ſuppoſed to have communicated the whole ſecret of the intrigue or conſpiracy to the Government, was ultimately pardoned. Shortly after, a proclamation was iſſued for the apprehending the Biſhop of Ely, Mr. James Graham, and Penn the famous Quaker, noted for his attachment to the Stuarts. But they had previouſly abſconded, as it was, no doubt, the intention of Government they ſhould. The Earl of Clarendon, uncle to the Queen, who had refuſed the oaths, was committed to the Tower: but after a confinement of ſome months, though his guilt was indubitably aſcertained by the intercepted letters, he was releaſed by the King's order, out of tenderneſs to the Queen, and merely confined to his houſe in the country. Lord Dartmouth was alſo ſent to the Tower, where he ſoon after died, and was buried with funeral honors.

Execution of Aſhton.

Upon the whole, the wiſdom and diſcretion of the Government were conſpicuous in the whole of this tranſaction: no one of the Whig Lords, ſuppoſed privy to it, being queſtioned; but on the contrary the evidence againſt them was aſſiduouſly ſuppreſſed; and all things reverted to their former ſtate, without any farther or more valuable ſacrifice than the life of the unfortunate Aſhton.

Deprivation of the Non-juring Biſhops.

At this period it was, however, judiciouſly determined to bring matters to a criſis with reſpect to the Non-juring Biſhops and Clergy, who were now deprived of their ſees and preferments, to the general ſatisfaction of the Nation. Even thoſe of the Prelates, who had acquired ſuch unbounded popularity by their oppoſition to royal deſpotiſm in the late reign, experienced little ſympathy in their preſent ſufferings in conſequence of what was now called their obſtinate factious defiance of the National will. The vacancies were ſupplied with men of ſuch known candor and moderation, that it was plain the preſent Tory Miniſters were either too wiſe to attempt, or had too little influence to effect, the revival of the High Church maxims uſually aſſociated with the political principles of their party. Amongſt theſe promotions we find the eminent and venerable names of Tillotſon, Sharp, More, Cumberland, and Patrick. Nothing more provoked the reſentment and chagrin of the Non-juring party at this period, than the defection of the famous Sherlock, Maſter of the Temple, after a long and pertinacious refuſal to ſubmit to the oaths, and his public juſtification of his conduct in ſo doing. This was a great triumph to the Court; and he was immediately rewarded, for what one party ſtyled his happy converſion, and the other his faithleſs apoſtacy, by the acquiſition of the rich deanery of St. Paul's.

Campaign in Flanders.

Early in the month of May (1691) the King, in purſuance of his reſolution to command in perſon the grand confederate army, embarked for Holland, and after a ſpeedy and proſperous voyage arrived ſafely at the Hague. The affairs of the Continent were at this period in a truly critical ſtate. Leopold, Emperor of Germany, nominal chief of the League of Augſburg, was not one of thoſe Princes whoſe characters are calcu-

Character of the Emperor Leopold.

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lated to adorn the page of Hiſtory. Weak, haughty, ſuperſtitious, and exerciſing a cruel deſpotiſm over his own ſubjects, he was ill-qualified or entitled to ſtand forward as the champion of the liberties of Europe. Vain and inſolent in proſperity, mean and puſillanimous in adverſity, he poſſeſſed neither the eſteem nor affection of his co-eſtates of the Empire: from his want of capacity only he was not the object of their fears *. It was the power of France which excited the univerſal dread: and the Empire had never, ſince the æra of the rivalſhip of the two great houſes of Bourbon and Auſtria, been ſo entirely united in intereſt, deſign, and deſire. But averting their eyes with diſdain from their immediate chief, as altogether incompetent to the accompliſhment of ſo great an object, the Germanic Princes fixed their attention excluſively on the King of England, even previous to his elevation to the royal dignity, and while merely Prince of Orange and Stadtholder of Holland, as the real and efficient head of the grand confederacy formed for the purpoſe of humbling the pride, and of oppoſing an inſuperable barrier to the encroachments of France. They ſaw in *him* all the qualities of a patriot and a hero; and the influence of prejudice and calumny operating feebly beyond a certain ſphere, his character appeared in an higher and truer light to the ſurrounding nations than to the majority of perſons in England itſelf, where, in his ſituation, every word and action of his life was liable to the moſt injurious and malignant miſrepreſentations.

It has already been related, that the Continental war began on the part of France with a furious irruption into the Empire, and the moſt horrid

* When the capital of his Empire was beſieged by the Turks, the Emperor retired for ſafety to Lintz, without making any effort for averting the impending ruin. After the ever memorable defeat of the Ottoman army under the walls of Vienna, by the great Sobieſki, this imperial ingrate ſought to decline an interview with his deliverer—and, finding it unavoidable, he conducted himſelf with the moſt diſguſting coldneſs and affectation of ſuperiority. The King of Poland, perceiving and deſpiſing his meanneſs, only ſaid in return to his reluctant acknowledgments: "I am glad, brother, that I have been able to do your Majeſty this little ſervice." By a popular and felicitous alluſion the Cardinal Archbiſhop of Vienna preached on this great occaſion a thankſgiving ſermon, in the cathedral of St. Stephen, on the text of ſcripture "There was a man ſent from God, whoſe name was John."

devaſtation

devaſtation of the provinces bordering upon the Rhine. The confederacy againſt France was ſuch as had never been equalled in Europe. All the contiguous countries, Switzerland excepted, were engaged in it as principals; yet it was remarked, and it could not fail to excite admiration, that, though thus every way ſurrounded with enemies, ſhe neither diſplayed any ſigns of deſpondency, nor made any unbecoming ſubmiſſions. But, on the contrary, ſhe prepared to exert her ſtrength, ſpirit, and genius, in proportion to the difficulties and dangers that threatened her; and, ſingle as ſhe was, entered the liſts againſt them all. But the honor ſhe acquired by her magnanimity ſhe ſullied by her cruelties; and the ſmoking ruins of the cities of Spire, Worms, Manheim, Oppenheim, and Heidelberg, were the trophies of her deteſtable triumphs.

At the commencement of the campaign of 1689, the French were almoſt entire maſters of the three Eccleſiaſtical Electorates. But the Marechal de Duras, who commanded their armies on the Rhine, found it extremely difficult to maintain his conqueſts. In the month of May an offenſive and defenſive confederacy, which afterwards obtained the name of the Grand Alliance from the number and rank of the princes and potentates who acceded to it, was ſigned between the Emperor and the States General at Vienna, to which the King of England was eagerly invited, and in a ſhort time aſſented to become a party; though the treaty was not ſigned in form by the Ambaſſadors of England till the 9th of December (1689). By the articles of this confederacy, it was agreed that neither of the high contracting powers ſhall enter into a ſeparate negotiation, and that no peace ſhall be concluded till the treaties of Weſtphalia and the Pyrenees ſhall be fully vindicated and reſtored. To this treaty were appended two ſecret articles; by the firſt of which England and Holland engaged to aſſiſt the Emperor, in caſe of the death of the King of Spain without iſſue, to take poſſeſſion of the Spaniſh Monarchy with all its dependencies; and, by the ſecond, to uſe their endeavors that the Emperor's eldeſt ſon, the Archduke Joſeph, ſhould be ſpeedily elected King of the Romans.

The

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The Imperial Court, in conjunction with the States General and the Princes of the Empire, brought three great armies into the field. At the head of the firſt, the Duke of Lorraine, a general of high reputation, inveſted the city of Mentz. The grand battery againſt this place was opened with a general and tremendous diſcharge of cannon, bombs, &c. accompanied by a grand chorus of hautboys, trumpets, and kettle drums. The garriſon made frequent fierce and deſperate ſallies; and the Germans, who conſidered themſelves as the avengers of their bleeding country, repelled the ſeveral attacks with heroic courage. "Every day the ſun roſe and ſet in blood, and every hour produced ſome new ſpectacle of horror.*" After a gallant defence of two months, this formidable fortreſs ſurrendered on honorable terms of capitulation.

The Elector of Brandenburg, receiving from the Baron de Berenſan the keys of Rheinberg, ſat down before Keiſerſwart, which held out but a ſhort time. He then attempted Bonne, a much more important place. Here his ſucceſs was doubtful, till the Duke of Lorraine led part of his army, after the conqueſt of Mentz, to his aſſiſtance. Bonne then demanded to capitulate, after 55 days' blockade and 26 days' cloſe ſiege.

In Flanders the Prince of Waldeck was oppoſed by the Marechal d'Humieres at the head of a ſuperior army. Nothing memorable paſſed on this ſide except that on the 15th of Auguſt (1689) an attempt was made by the French General to ſurpriſe the Allies, then encamped near Walcourt, while a part of the army was engaged on a grand foraging excurſion. The enemy were, however, repulſed by extraordinary efforts of activity and valor, with the loſs of 2000 men. The Engliſh troops under the Earl of Marlborough particularly diſtinguiſhed themſelves on this occaſion; and the Prince of Waldeck declared, that the Engliſh General had acquired in one day what others could gain only in years.

On the ſide of Catalonia, the Duc de Noailles took the town and citadel of Campredon, which was ſubſequently razed. But the chief advan-

* Ralph.

tage

1689. Death of Pope Innocent XI.

tage gained by the Court of Verſailles, in the courſe of this year, was in the demiſe of Pope Innocent XI. of the family of Odeſchalchi, who died Auguſt the 2d, 1689, in the 14th year of his pontificate. He was of a character highly reſpectable; exemplary in his morals; a zealous yet judicious patron of reform; devout, yet free from ſuperſtition; diſintereſted, though economical; mild, yet determined. His ruling paſſion for ſeveral years was hatred to Louis XIV. by whom he had been treated with a rudeneſs and haughtineſs as deſtitute of provocation as it was contrary to policy. He was ſucceeded by Cardinal Ottoboni, a Venetian, already fourſcore years of age, who ſat 18 months in the papal chair under the name of Alexander VIII. Wearied with his vexatious and diſgraceful diſpute with the Court of Rome, and ſuperſtitiouſly apprehenſive of the efficacy of the Papal cenſures, Louis notified to the new Pope, in a letter written with his own hand, the reſtitution of the city of Avignon, and his relinquiſhment of the pretenſions he had hitherto maintained to the *franchiſes*. But the Pope, though he complimented the King of France, in return for this conceſſion, with the promotion of Fourbin and ſome other perſons whom he recommended as Cardinals, yet refuſed to yield the point of the *regale* *; nor would he grant the Bulls, for the vacant French Biſhoprics, to thoſe who had ſigned the Formulary of 1682 declaring the Pope fallible and ſubject to a General Council. And at the approach of death, he paſſed a Bull expreſsly confirming all thoſe of his predeceſſor. Alexander VIII. was ſucceeded by Cardinal Pignatelli, who took the name of Innocent XII. in reſpect to the memory of Odeſchalchi,

* The *regale* is a right claimed by the King of France to enjoy the revenues of the vacant Sees till the oath of fidelity is taken and regiſtered in the Parliament of Paris. It includes, alſo, the power of nominating to the benefices and dignities in the gift of the Biſhop or Archbiſhop, during the vacancy. The *franchiſes* were privileges of aſylum, annexed not only to the houſes of Ambaſſadors at Rome, but even to the whole diſtrict where any Ambaſſador chanced to live. This privilege was become a moſt terrible nuiſance, inaſmuch as it afforded protection to the moſt atrocious criminals, who filled the city with rapine and murder. Innocent XI. reſolving to remove this evil, publiſhed a Bull, aboliſhing the *franchiſes*; and almoſt all the Catholic Powers of Europe acquieſced in what he had done, on being duly informe of the grievance. But Louis XIV. from a ſpirit of illimitable pride and inſolence, refuſed to part with any thing that looked like a prerogative of his Crown. He ſaid, the King of France was

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ſchalchi, to whom he owed his promotions, whoſe principles and policy it was his ambition to adopt, and of whoſe maxims and conduct he had been a long and attentive obſerver.

In the ſummer of 1690, the Duke of Savoy, after long heſitation, openly declared himſelf in favor of the Allies, and became a party to the Grand Alliance. His dominions were immediately invaded by a French army under M. de Catinat, a commander of conſummate ſkill, who, Auguſt the 3d, defeated the troops of Savoy with great loſs, at Saluzzo, and captured the important fortreſs of Suza. The Duke, who was a man of ability and addreſs, finding himſelf deſerted by Spain and the Emperor, notwithſtanding their laviſh promiſes of ſupport, now applied himſelf, in a moſt reſpectful, or, more properly ſpeaking, adulatory manner, to the King of England, through the medium of his chief Miniſter and Ambaſſador Extraordinary the Count de la Tour. "His Royal Highneſs, my maſter," ſaid the Count, at his firſt public audience of the King, "does, by me, congratulate your ſacred Majeſty's glorious acceſſion to the Crown. It was due to your birth, was deſerved by your virtue, and is maintained by your valor. Providence had deſigned it for your ſacred head, for the accompliſhment of its eternal decrees, which, after long patience, do always tend to raiſe up choſen ſouls to repreſs violence and protect juſtice. The wonderful beginnings of your reign are moſt certain preſages of the bleſſings which Heaven prepares for the uprightneſs of your intentions, which have no other ſcope than to reſtore this flouriſhing Kingdom to its firſt greatneſs, and break the chains which Europe groans under. Theſe

was not the imitator, but a pattern and example for other princes. He rejected with diſdain the mild repreſentations of the Pope. He ſent the Marquis de Lavardin as his Ambaſſador to Rome, with a formidable train, to affront Innocent even in his own city. That nobleman executed his commiſſion with every circumſtance of inſult. He entered Rome in an hoſtile manner, with ſeveral troops of horſe, which kept guard in the Franchiſes, and ſet the papal authority at defiance. The Pope in revenge excommunicated Lavardin; and concurred with the Allies in all their projects for the reduction of the power of France, refuſing to confirm the election of a Coadjutor to Cologne, and defeating the views of France in favor of Cardinal Furſtenberg upon Liege; by which means a great facility was given to the Prince of Orange's expedition to England.

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are the ſincere ſentiments of his Royal Highneſs; to which I dare not add any thing of mine: for, how ardent ſoever my zeal may be, and however profound the veneration which I bear to your glorious achievements, I think I cannot better expreſs either, than by a ſilence full of admiration." Gratified, probably, by theſe high and flattering compliments, and certainly incited by the moſt forcible and obvious motives of policy, the King received the Ambaſſador of Savoy very graciouſly, and gave him the ſtrongeſt aſſurances of effectual ſupport and protection.

During this campaign, the Prince of Waldeck was oppoſed in Flanders by the Marechal Duc de Luxemburg: and in June 1690 a general engagement took place at Fleurus, in which Luxemburg, by a diſplay of great military talents, obtained the advantage; the confederate army being compelled to retreat with the loſs of 7 or 8000 men. The cavalry of the Allies in this engagement behaved ill, and, having been once diſcomfited, could never be brought to rally: but the infantry did wonders, and, deſerted as they were, reſiſted all attacks, and at length quitted the field in ſuch admirable order, that the Duke of Luxemburg in rapture exclaimed, "that they ſurpaſſed the Spaniſh foot at the battle of Rocroy. The Prince of Waldeck," ſaid he, "ought ever to remember the rench horſe; and I ſhall never forget the Dutch infantry."

Early in the preſent year (1690) the Archduke Joſeph had been unanimouſly elected King of the Romans, in conformity to the eager wiſhes of the Emperor. The Duke of Lorraine being now no more, the command of the Imperial army on the Rhine was conferred on the Elector of Bavaria; and the French were conducted by the Dauphin: but the campaign on this ſide was merely and mutually defenſive, and its operations too unimportant to relate. An inroad was a ſecond time made by M. de Noailles into Catalonia; but at the approach of the winter he abandoned his conqueſts and retired to Rouſillon.

Before the King of England had taken the field, in the ſpring of 1691, and even while the Congreſs was ſtill ſitting at the Hague, the French

BOOK I. 1691. ſuddenly inveſted the city of Mons, which the Prince of Waldeck attempted in vain to relieve. And the Marechal de Luxemburg was on his march to ſurpriſe Bruſſels, when the King of England put himſelf at the head of the allied army, by this time confeſſedly ſuperior to that of the enemy, and effectually covered Bruſſels from attack; after which he ſent a detachment to the relief of Liege, threatened by Marechal Bouffliers. The King, now paſſing the Sambre, tried all poſſible means to bring the enemy to a battle, exhauſting his invention in marches, counter-marches, and ſtratagems; but, being in every attempt diſappointed by the ſkill and caution of Luxemburg, he relinquiſhed the command to the Prince of Waldeck, and retired in September to Loo. The campaign on the Rhine, where the Elector of Saxony this year commanded, was equally inactive. In Catalonia, the Duc de Noailles again renewed his unavailing incurſions. But on the ſide of Italy, M. de Catinat made himſelf maſter of Montalban, Villa Franca, Nice, and Carmagnola, a place not more than nine miles diſtant from Turin. He then inveſted the ſtrong fortreſs of Coni, ſituated on the ſummit of a ſteep and craggy mountain, and defended by a numerous garriſon. At this critical period the King of England ſent to the aſſiſtance of the Duke of Savoy a body of auxiliary troops commanded by a very able officer, the Duke of Schomberg, ſon of the late famous Marechal Schomberg, preceded by a welcome and ſeaſonable ſupply of money. A reſolution being taken, in purſuance of the advice given by the new General, to attempt the relief of Coni; a large body of troops under the command of Prince Eugene of Savoy, then riſing into military eminence, was detached upon this hazardous expedition; which he executed with ſuch addreſs, that M. Bulonde, who directed the operations of the ſiege, after loſing a great number of men before the walls, raiſed it in extreme haſte and confuſion, leaving behind him large quantities of ſtores, and ſeveral pieces of artillery. Prince Eugene then attacked and captured Carmagnola, and obliged M. Catinat to retire with his whole army beyond the Po. At this intelligence the Court of Verſailles was ſtruck with great aſtoniſhment. Louvois appeared inconſolable; and ſhedding or pretending to ſhed tears when he related theſe diſaſters to the King, Louis told him with calmneſs, "That he was ſpoiled by

by good fortune." At the end of the campaign, nevertheleſs, M. de Catinat again retrieved his reputation, and in ſome degree his ſuperiority, by taking the town and caſtle of Montmelian.

Although the Emperor had been repeatedly and ſeriouſly exhorted by the Diet to conclude peace with the Turks, in order to carry on the war with greater effect againſt France; and the Grand Seignor had himſelf requeſted the mediation of England for that purpoſe; yet the tide of ſucceſs which had attended the Imperial arms in Hungary ſince the defeat of the Turks at Vienna incited him to proſecute the war, with the hope of adding each year ſomething farther to his conqueſts. He was well pleaſed that the war in Flanders and on the Rhine ſhould be carried on at the expence of England, Holland and the Empire, while he was making ſuch conſiderable acquiſitions of power and territory in the provinces bordering on the Danube. Hatred of hereſy and hatred of France being his ruling paſſions, he deemed himſelf in ſome ſenſe a gainer whichever ſide ſhould loſe. Prince Louis of Baden had ſucceeded to the Duke of Lorraine in the command of the Imperial armies in Hungary, and acquired ſuddenly a moſt ſplendid reputation by defeating the Turks during the courſe of the campaign of 1689, in three ſucceſſive engagements, and taking the towns of Niſſa, Widin, &c. His career of victory was, however, for a time impeded by the efforts of the Grand Vizier Kuiperli, lineally deſcended from the two former celebrated Viziers of the ſame name; who alone had given to the Ottoman Empire, ſince its foundation, the example of a family powerful and illuſtrious for ſucceſſive generations. This able Stateſman and General, during the ſhort term of his command, recovered Belgrade; and infuſed a new ſpirit into the Turkiſh armies. After giving a ſtriking proof what great things may be effected in a very ſhort time by a man of extraordinary virtues and talents, he loſt his life, A. D. 1691, glorioufly fighting in an engagement with the Germans commanded by the Prince of Baden, at Salankaman on the Danube. His death was followed, as might be expected, by a total defeat of the Turkiſh army; and the Emperor was now anew prompted to perſevere in the proſecution of a war, in the courſe of which he had riſen from a ſtate of the loweſt political depreſ-

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ſion to ſo exalted an height of fortune. The apprehenſions of his Imperial Majeſty reſpecting the defection of his great ally the King of Poland, who was married to a French princeſs, and whoſe ſentiments in relation to the object of the Augſburg Confederacy had been regarded as ſomewhat doubtful, were now alſo happily removed. "Having," ſays the Emperor, in a letter written by him to the King of Poland, dated March 18, 1689, "for what concerns a ſpeedy and honorable peace with the Turks, already declared in our former letters our ſentiments to your *Serenity*"—for the Auſtrian pride had ever refuſed to the elective Kings of Poland the title of *Majeſty*—" and being glad to hear that your Serenity is ſending to us an Envoy Plenipotentiary; we have now thought fit, at the inſtance of the States of the Empire, and out of the fraternal confidence we have in your Serenity, to write this; not that we think your Serenity wants to be exhorted to prefer the friendſhip which for ſo many ages has continued without interruption between us, the Roman Empire, and the Crown of Poland, before the machinations of France; or that your Serenity, after having fought ſo glorioufly againſt the common enemy of Chriſtendom, can now be induced to favor their abettors, adherents and confederates, the French; or to aſſiſt directly or indirectly their deſigns—but amicably and brotherly to deſire you, on our part, and in the name of the Empire, to take ſuch meaſures and reſolutions with the whole Republic of Poland, that, proceeding with united councils and forces, the horrid perfidiouſneſs of France may be puniſhed, and a firm and laſting peace at length eſtabliſhed in Chriſtendom."—And concluding in a ſtyle of unprecedented condeſcenſion, he ſays, "We doubt not your MAJESTY will return us an anſwer agreeable to our mutual friendſhip." A favorable anſwer being received from the King of Poland to this epiſtle; and the Poles and Venetians continuing faithful to the league againſt the Infidels; the Emperor ſtill indulged ſanguine hopes of new victories and conqueſts, and ſuffered himſelf to be amuſed and flattered by the circle of courtiers and paraſites with the ſplendid dream of advancing to Conſtantinople, and of ſubverting the Turkiſh empire in Europe.

Towards the cloſe of the autumn 1691, King William returned to England,

England, the Parliament being ſummoned to meet on the 22d of October. The Speech from the Throne recommended in ſtrong terms the vigorous proſecution of the war. Loyal addreſſes and great ſupplies were voted as uſual; but the Nation at large was much diſappointed and chagrined at the ill ſucceſs of the laſt campaign: and the more enlightened part of the public began extremely to doubt the policy of continuing the Continental war at ſo enormous an expence and with ſo little effect. It was ſaid, that the Confederacy of Continental Princes, if they reſolutely exerted their powers, was fully equal to check the ambitious projects of France; that England had but a remote and ſecondary intereſt in theſe contentions; that the Emperor, depending on the ſtrength and reſources of Great Britain, purſued his victories in Hungary, apparently forgetful that he was himſelf the head of the League of Augſburg, and the chief of the Grand Alliance. "It would have coſt leſs," ſays Lord Delamere in his famous pamphlet ſtyled *Impartial Enquiry*, &c. "than the money given, to have ſent out yearly a royal fleet of an hundred ſail for our defence and glory. This alone had ſecured Europe from French tyranny, had given ſafety and peace to England, and made all nations court our friendſhip. Surely theſe things could not have been forgotten, having been ſo lately proved by *thoſe* who purſued this courſe, who were without right and title to the Government, and yet were ſubmitted to by all the world. But, on the contrary, theſe adviſers muſt needs underſtand, that when they counſelled the King to war againſt France at land, it muſt be upon very unequal terms both of expence and hazard.—Can we hope this ſummer, or the next, to gain thoſe frontier cities and garriſons which it hath coſt the French Monarch near thirty years to complete and many millions to fortify?"

BOOK I.

1691. Seſſion of Parliament.

The zealous Whigs were not indeed at this time diſpoſed to view the meaſures of the King with any peculiar predilection. The Tories were ſtill the favored and governing party; and at this very period the Earl of Rocheſter, Lord Ranelagh, and Sir Edward Seymour, three of the leading men in that intereſt, were ſworn of the Privy Council. The Earl of Pembroke, who wavered between the two parties, was advanced to the office

BOOK I.

1691

Unpopularity of the King.

office of Lord Privy Seal; and Lord Sydney, a man of art and addreſs, who retained a perſonal intereſt with the King, though a Whig, was appointed Lord Lieutenant of Ireland. The behavior of the King himſelf was not calculated to acquire popularity. He was of a diſpoſition naturally ſilent, reſerved and thoughtful. He never appeared perfectly naturalized amongſt the Engliſh; and was ſcarcely ever known to unbend himſelf but in company with his Dutch counſellors and favorites, Bentinck, Zuyleſtein, Auverquerque, &c. He avoided coming to the metropolis except on council days, and ſpent his leiſure hours either in ſtag-hunting, of which diverſion he was paſſionately fond, or at his favorite reſidence of Hampton Court, where he expended much money in magnificent and, as many affected to ſtyle them, ſuperfluous embelliſhments. He was perſuaded indeed to make a viſit to the Univerſity of Cambridge, to partake, like King Charles II. of the ſports of the turf at Newmarket, and to accept of the freedom of the city of London; but theſe condeſcenſions not being natural to him, the coldneſs of his manner predominated over, and perhaps even cancelled, the ſenſe of the obligation.

Affairs of the East India Company.

An attempt, which extremely attracted the attention of the public, was made during this ſeſſion, by a very powerful combination of commercial adventurers, wholly to ſuperſede and annihilate the exiſting Eaſt India Company, who had, as their enemies alleged, greatly abuſed their powers and privileges, and to eſtabliſh a new company upon their ruins. This deſign was however oppoſed with vigor and ſpirit. The Company was firſt incorporated in the 43d of Elizabeth, with an excluſive right of commerce, upon a joint ſtock, for the term of 15 years. In the 7th of James I. they obtained a charter erecting them into a perpetual body politic. In the year 1661 they received from King Charles II. a charter of confirmation, with a donation ſhortly afterwards from the royal bounty of the iſlands of Bombay and St. Helena. Laſtly, another charter of confirmation was granted them in the ſecond year of the late King James II.; all however under a proviſo, that upon a three years notice it ſhould be in the power of the Crown to make thoſe charters void. Such was the flouriſhing ſtate of the Company's affairs in 1680 and

ſeveral

ſeveral following years, that the price of India ſtock roſe to 360 per cent. and the dividends were proportionable. But for about ſeven years paſt, by reaſon, it was affirmed, of the pernicious projects and under the miſchievous management chiefly of Sir Joſiah Child, the ſtock was greatly ſunk in value, and the Company involved in extreme embarraſſments. It was ſaid, "that the Directors had engaged in unjuſt and unneceſſary wars, both with the Emperor of Hindoſtan and the King of Siam, to the great injury both of their finances and reputation; that there had been groſs abuſe reſpecting contracts and in the article of freight, and the proprietors injured thereby to a vaſt amount; that great ſums had been corruptly advanced, to ſecure the favor of perſons ſuppoſed to have intereſt at Court; that they had diſgraced themſelves and defrauded the public, by fixing a paper on the treaſury door, declaring that they could pay no more for a certain time; proving, by this means, that thoſe in the Direction had been ſo buſy in dividing that the obligation of paying was forgotten. Laſtly, it was alleged againſt them, that they had exceeded their powers, and had acted not only illegally but criminally, in putting perſons to death at St. Helena by martial law, in contempt of the known conſtitution of the kingdom." The Company replied, "that they had neither exceeded their powers nor abuſed their truſt. Among their powers was that of holding courts martial, and of military puniſhments. Even in the affair of St. Helena, which had drawn down upon them ſuch heavy cenſure, they were juſtified by an expreſs commiſſion from the late King James; that the temper of the Court was ſuch at the time that commiſſion was granted, that if they had preſumed to queſtion its validity, or even to inſinuate the expediency of its being ratified in Parliament, they had exchanged protection for indignation, and been infallibly expoſed to all the rigors of a *Quo warranto*. As to the war with the Mogul, it was ſo far from being perfidious, unprovoked and piratical, as repreſented by their adverſaries, that it was juſt, neceſſary and unavoidable.* Under ſuch a variety of preſſures, oppreſſed and embarraſſed

* The partiſans of the exiſting Company having pretended that the war with the Mogul had terminated in a very advantageous peace; their opponents were malicious enough to publiſh

BOOK I. 1691.

raſſed by the Indian Governors, oppoſed by the French, the Dutch, and the Danes, they admitted that their returns had diminiſhed, and the management of their affairs was become more difficult; that nevertheleſs the Company was ſo far from being in a bankrupt condition, that they were abundantly able to ſatisfy all demands, and to carry on their trade with as large a ſtock, and, as they had now reaſon to believe, to as much advantage as ever; that in truth it was not on account of their ſuppoſed poverty, but their ſuppoſed wealth, that all this clamor had been let looſe againſt them; that, as to their poſtponing their payments, it was no more than had been done, not only by the Chamber of London, but even the Exchequer itſelf; that, upon the whole, they had done nothing to forfeit the protection of the Government, the good opinion of the people, or the powers and privileges granted to them by their charters; and whatever national improvements the trade was capable of, might be as well obtained on the preſent model as under any other."

After long and vehement debates, the Houſe of Commons paſſed a ſeries of reſolutions upon the ground of which "*it might be proper* to prolong and continue the charter of the preſent Company." The Company thought good to accede to theſe conditions, amongſt which were ſeveral very hard of digeſtion; particularly the reſolutions enjoining that no one perſon ſhould have or poſſeſs any ſhare of Eaſt India ſtock exceeding

liſh a tranſlation of the *Phirmaund* iſſued upon that occaſion by Aurengzebe, Emperor of Hindoſtan, which is as follows: "ALL the ENGLISH having made an humble ſubmiſſive petition, that the ill crimes they have done may be pardoned; and requeſted a noble *Phirmaund* to make their being forgiven manifeſt, and ſent their *Vakeels* to the heavenly palace, the moſt illuſtrious in the world, to obtain the royal favor; and Ettimaund Chaune the Governor of Surat's repreſentation to the famous Court equal to the ſkies being arrived, that they would preſent the Great King with a fine of 150,000 rupees to his noble treaſury reſembling the ſun, and would reſtore the merchants' goods they took away to the owners of them, and would walk by the antient cuſtoms of the port, and behave themſelves for the future no more in ſuch a ſhameful manner: WHEREFORE his Majeſty, according to his daily favor to all people of the world, hath pardoned their faults, mercifully forgiven them; and out of his princely condeſcenſion agrees that the preſent be put into the treaſury of the port, the merchants' goods be returned, the town flouriſh, and they follow their trade as in former times, and Mr. Child, who did the diſgrace, be turned out and expelled. *This Order is irreverſible.*"

5000l.

5000l. and that all perſons now having above the ſum of 5000l. in the ſtock of the preſent Company, in their own or other perſons' names, be obliged to ſell ſo much thereof as ſhould exceed the ſaid ſum of 5000l. at the rate of 100l. in money for every 100l. ſtock. A Committee was at length appointed to prepare and bring in a Bill to eſtabliſh an Eaſt India Company according to the regulations and reſolutions agreed to by the Houſe. In the month of January 1692 a Bill was brought in accordingly: but the efforts of their enemies were now redoubled; new petitions were preſented againſt them; the temper of the Houſe ſuddenly changed, and they came to an ultimate reſolution, "that an humble Addreſs be preſented to his Majeſty, to *diſſolve* the Eaſt India Company, according to the powers reſerved in their charter, and to conſtitute another Eaſt India Company, for the better preſerving of the Eaſt India trade to this kingdom, in ſuch manner as his Majeſty in his royal wiſdom ſhould think fit." This Addreſs was preſented by the whole Houſe; and though it could not be unacceptable to the Court, as throwing the *game* entirely into their hands, the King replied with apparent indifference, "that this was a matter of very great importance to the trade of the kingdom; that he would conſider of it; and that in a ſhort time he would give the Commons a poſitive anſwer." The farther management of this intricate buſineſs was now transferred to the Privy Council; but when the Earl of Nottingham, as Secretary of State, in the May following ſent the Company a copy of the conditions agreed upon by the Lords of the Council, in order to a renewal of their charter, they objected to almoſt every article, and generally with very good reaſon, as impoſing abſurd and impolitic reſtraints on the freedom of commerce: and in a ſeparate memorial, they endeavored to ſhow that the preſent Conſtitution of the Company needed no material alteration, and admitted no eſſential improvement; and in this ſtate of ſuſpenſe the conteſt remained till the commencement of the ſucceeding ſeſſion. On the 29th of February 1692 the King, in a gracious ſpeech, had acquainted the two Houſes with his intention of going beyond ſea very ſpeedily, and prorogued the Parliament.

BOOK I.

1692.

Disgrace of the Earl of Marlborough.

Somewhat previous to this period, the Earl of Marlborough, who had ever appeared to be in high favor with the King, was suddenly disgraced; the Earl of Nottingham demanding of him, by the King's order, the resignation of all his offices, civil and military. And in May following he was committed to the Tower on a charge of high treason; and, as it is expressed in the warrant of Council, "of abetting and adhering to their Majesties' enemies." Though the specific accusation on which the warrant was issued proved subsequently false and scandalous; there unhappily exists incontrovertible evidence that the Earl of Marlborough, in common with many other persons of high rank and consequence, held a clandestine and unlawful correspondence with the Court of St. Germaine's; and the disgrace of that nobleman was beyond all reasonable doubt owing to the authentic information received by the King of his treasonable practices. The dark and crooked policy of those who engaged in this extraordinary scene of dissimulation, makes it extremely questionable whether any measures were really taken by them with a view to facilitate the restoration of the late King. The Earl of Marlborough, who was perhaps the greatest adept in this Machiavelian school, wrote, as appears, letters of deep contrition to the Court of St. Germaine's, imploring pardon and forgiveness for his past conduct, which James thought it expedient to grant, though he justly entertained the greatest doubts respecting his present sincerity; and which his recent services at Cork and Kinsale were ill calculated to remove. A message was moreover sent by Marlborough to James, engaging to excite a revolt in the army; of which being after a considerable interval reminded, he declared that he had been misunderstood by the person, Captain Lloyd, who conveyed it. On which James remarked, "that he suspected Churchill wished to regain his confidence only to be able a second time to betray him." Not only were such flagitious or problematic characters as Sunderland, Halifax, Monmouth, Marlborough, &c. deeply involved in these machinations and cabals, but men of the greatest private, and, in other respects, public virtue—Godolphin, Shrewsbury and Russel. Even the Marquis of Carmarthen, one of the heads of the present Administration, became a plotter or pretended plotter against the Govern-

Intrigues carried on with the Court of St. Germaine's.

Government: but the character of the Earl of Nottingham, to his laſting honor, ſtands untainted and unimpeached *. The moſt eaſy and obvious mode of accounting for the prevalence of a conduct ſo treacherous, is the extreme apprehenſion which appears to have been almoſt univerſally entertained of the eventual reſtoration of the late King. For the extraordinary political revolutions which had taken place in the courſe of the laſt half century—the dethronement and death of King Charles I.—the eſtabliſhment of a Commonwealth, with its ſudden ſubverſion—the conſequent reſtoration of King Charles II.—the depoſition and expulſion of James, and the ſurpriſing advancement of the Prince of Orange to the Crown, made the re-eſtabliſhment of the late King appear incomparably more feaſible to the contemporary actors than it is now eaſy to credit or conceive—ſupported as, it muſt ever be remembered, James at this period was by the mighty and, in the current opinion of numbers, irreſiſtible power of France.

* Vide the Dalrymple and M'Pherſon Collections of State Papers, paſſim.—About the end of the year 1690, it appears that Col. Bulkley and Col. Sackville arrived from St. Germaine's in England, and applied with ſucceſs to the Lords Godolphin, Halifax, and Marlborough; and a *promiſe* of pardon being not only obtained, but formally granted, Shrewſbury and Carmarthen profeſſed their converſion. The Admirals Ruſſel and Carter followed their example; and in a ſhort time alſo the Princeſs of Denmark joined the ſame party. Some months afterwards, the Earl of Middleton was ſent over to England. A conſiderable time was ſpent in adjuſting terms, becauſe the Whigs, and particularly Ruſſel, contended for conceſſion after conceſſion for the ſecurity of the Conſtitution. At length all things were ſettled, and the Court of St. Germaine's obtained aſſurances that the army would be directed by Marlborough, the fleet by Ruſſel, and the church by the Princeſs Anne. Marlborough was, at his own requeſt, and as a refinement of diſſimulation, excepted from the Declaration of Pardon. During the preparations for an invaſion, the correſpondence between Ruſſel and James continued; in the courſe of which Ruſſel entreated James to prevent the two fleets from meeting, warning him, that, as an officer and an Engliſhman, it behoved him to fire upon the firſt French ſhip that he met, although he ſaw James upon the quarter-deck; and he complained that proper proviſion was not yet made for the ſecurity of the ſubject—ſo that James was provoked to ſay, "Ruſſel's views were not ſo much directed to ſerve him, as from republican principles to degrade monarchy in his perſon. If he miſſed the French fleet, he would claim credit with him; if he met it, he would, as was manifeſt, uſe his utmoſt efforts in favor of his rival." In the books of the Privy Council, May 3, 1692, there is a warrant for ſeizing Bulkley, Lloyd and Middleton; and on the 23d of June following the names of Shrewſbury, Halifax and Marlborough are ſtruck out of the Council book.

BOOK I.

1692. Prince and Princeſs of Denmark ceaſe to appear at the Court of St. James's.

A great coolneſs had for ſome time ſubſiſted between the King and Queen, and the Prince and Princeſs of Denmark, on account of an application made by the Princeſs to Parliament for an independent revenue without the privity of the King, and the actual grant of the ſum of 50,000l. per annum, by the Houſe of Commons, out of the Civil Liſt for that purpoſe. This miſunderſtanding was now much heightened by the refuſal of the Princeſs, at the requeſt or rather command of the Queen, to diſmiſs the Counteſs of Marlborough from her houſehold, where ſhe had long occupied the ſtation of Firſt Lady of the Bedchamber, and had poſſeſſed the higheſt place in the affection and favor of her Royal Miſtreſs. From this time the Prince and Princeſs of Denmark no longer appeared in the Court of St. James's, and the rupture in the royal family became unavoidably public and viſible to all.

BOOK II.

King embarks for Holland. Namur captured by the French. Battle of Steinkirk. Grandval's Plot. Campaign on the Rhine, &c. Hanover erected into a Ninth Electorate. Machinations of the Jacobites. Victory off La Hogue. Session of Parliament. Earl of Marlborough released from the Tower. Dismission of Admiral Russel. Affairs of the East India Company. Royal Assent refused to the Triennial Bill. Enquiry into the State of Ireland. Sir John Somers made Lord Keeper of the Great Seal. Battle of Landen. Charleroy taken by M. Luxemburg. Campaign on the Rhine. Sack of Heidelberg. Battle of Marsiglia. Smyrna Fleet captured. Affairs of Scotland. Massacre of Glencoe. Remarkable Declaration of K. James. Intrigues of the Court of St. Germaine's. Earl of Nottingham dismissed. Earl of Sunderland in favor with the King. Death of the Marquis of Halifax. Whigs regain their Ascendency. Pacific Advances of France rejected. Royal Assent refused to the Place Bill. Bank of England established. Affairs of the East India Company. State of Ireland. The Lords Justices Coningsby and Porter impeached. Mr. Montague constituted Chancellor of the Exchequer. Campaign in Flanders, &c. Admiral Wheeler shipwrecked. Disastrous Attempt on Brest. Session of Parliament. Triennial Act passed. Death of Archbishop Tillotson—and of Sancroft. Illness and Death of the Queen. Princess of Denmark reconciled to the King. Speaker of the House of Commons expelled the House. Duke of Leeds impeached for Malversations in Office. Sir William Trumbull made Secretary of State. Affairs of Scotland. African Company established. State of Ireland. Wise Government of Lord Capel.

BOOK II.

1692. King embarks for Holland.

ON the 5th of March 1692 the King embarked for Holland, and arrived in a few days afterwards at Loo; whence he quickly repaired to the army, now assembled near Louvain. Through the influ-

BOOK II. 1692.

ence and at the expreſs recommendation of the King of England, the Elector of Bavaria had been recently appointed Governor of the Spaniſh Netherlands, through whoſe care and activity thoſe provinces exhibited a much better poſture of defence than formerly; and great hopes were anew entertained of a ſucceſsful campaign, eſpecially as M. de Louvois, who was ſuppoſed the ſoul of the French councils, was now dead. But the mantle of Louvois *ſeemed* to have deſcended to his ſon and ſucceſſor, the Marquis de Barbeſieux, whoſe capacity was, however, proved by ſubſequent experience to be of a very inferior claſs. The King of France took the field in perſon, attended by a vaſt retinue in Aſiatic pomp, and on the 20th of May 1692 joined the army under the command of Marechal Luxemburg, which he found in excellent order, furniſhed with all things neceſſary for the attempting ſome great exploit. The French army being put in motion on the 23d, the Confederates were in pain for Charleroy: but the ſtorm burſt on the other ſide. On a ſudden, the French Monarch, aſſiſted by the Marechals Boufflers and Vauban, ſat down before Namur, while the Duke of Luxemburg covered the ſiege.

Namur captured by the French.

NAMUR, ſituated at the conflux of the Sambre and Maeſe, is accounted one of the ſtrongeſt fortreſſes in the Low Countries, and it was defended by a numerous garriſon commanded by the Prince de Barbazon. Of this officer the King had conceived an ill opinion; but the Elector of Bavaria, loth to diſgrace a perſon of his high rank upon a mere ſuſpicion, contented himſelf with ordering the Count de Thian to accompany him in the ſiege, with inſtructions to watch his conduct. But the event ſhowed how eſſential to the ſucceſs of great deſigns are the qualities of vigor and deciſion. The French army opened their trenches in the night of the 29th of May; and on the 5th of June, when the attack had ſcarcely commenced, the town capitulated, on condition that the garriſon ſhould be allowed 40 hours to retire into the citadel. King William was on his march towards the Mehaigne, in order to relieve the place, when he received notice of this ſurpriſing event, and that the French had inveſted the citadel. Having received large reinforcements, and his army now amounting to upwards of 100,000 men, he reſolved to venture a battle, in

in the hope of ſaving this grand bulwark of the Low Countries. Unfortunately, very heavy rains falling ſwelled to a great height the waters of the Mehaigne, which flowed between the King's army and that of Marechal Luxemburg, and ſwept away the bridges. When the floods had abated, the French General had fortified the paſſes to his camp in ſuch a manner as to render an attack impracticable. The citadel of Namur was covered with a new work called Fort William, conſtructed by the famous Coehorn, and defended by that great engineer in perſon. This fort being now attacked by M. Vauban, a name no leſs celebrated in military tactics, an extraordinary contention of ſcientific and profeſſional ſkill was now exhibited. But by a fatal miſchance M. Coehorn himſelf being dangerouſly wounded in one of the aſſaults, all ſpirit and confidence was extinguiſhed, and the *chamade* forthwith beat, on the preſumption that the fort was no longer defenſible. The citadel, after a faint and feeble reſiſtance for a place of ſuch ſtrength and importance, ſurrendered on the 30th of June; and the King of France immediately left the camp in order to celebrate his triumph at Verſailles, having prepared his way by an oſtentatious letter addreſſed to the Archbiſhop of Paris, commanding a ſolemn *Te Deum* to be ſung on this great occaſion in the cathedral church of Notre Dame.

Diſappointed in his attempt to raiſe the ſiege of Namur, King William formed a deſign of ſurpriſing the city of Mons; but was prevented by the vigilance of Luxemburg. After various marches and counter-marches, the French army took a very advantageous poſition between Enghien and Steinkirk, covered by a wood and thick hedges, traverſed with narrow and intricate defiles. Here the King of England, paſſing the Senne in view of the enemy, determined upon a general attack, having received very erroneous information reſpecting the nature of the ground, which was found in the event extremely impracticable. On Sunday, July 24th, 1692, the Prince of Wirtemberg, ſuſtained by General Mackay at the head of the Britiſh infantry, advanced to the aſſault of the enemy's right, through a deep defile, terminating in a ſmall plain in view of the French camp. The word

Battle of Steinkirk.

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word being given, the onſet was made with ſuch vigor, that the French, ſurpriſed and thrown into conſternation, abandoned their lines in the utmoſt diſorder and confuſion; and if the firſt column of attack had been properly ſupported, according to all appearances the battle had been won. But Count Solmes, who commanded the centre, though repeatedly applied to by meſſages to march forward in order to ſuſtain the van, ſtill delayed; and when a poſitive command from the King himſelf at length arrived, he detached a body of cavalry, which he knew from the nature of the ground could not act, and ordered the foot to halt, ſaying to thoſe about him, "Let us ſee what ſport theſe Engliſh bull-dogs will make us!" The King, aſtoniſhed and enraged at this diſobedience, brought up in perſon the reſerve of infantry to the relief of the van. But it was now too late. M. de Luxemburg had time to rally his broken battalions, which taſk he performed with great and conſummate ſkill; the princes of the blood and nobles leading them, under his direction, back to the conflict, and charging ſword in hand. Four hours this dreadful ſcene of carnage laſted, and never was encounter more obſtinate and bloody. The Allies at length, overpowered by numbers, and exhauſted by fatigue, were compelled to give way, deſpairing of effectual ſupport. The King, who had impatiently expected the approach of Count Solmes, was heard repeatedly to exclaim, "O my poor Engliſh! how they are abandoned!" He now diſplayed all the ability and preſence of mind of a great General, in re-forming the troops and reſtoring order and confidence. But the night drawing on precluded a renewal of the attempt, and a general retreat was thought neceſſary, which was performed, under the immediate direction of the King, with great judgment and military ſkill. The conduct of Count Solmes on this diſaſtrous day could never be adequately accounted for. It was only known, that he hated the Engliſh, and was extremely jealous of the Prince of Wirtemberg, having himſelf aſpired to the command of the column of attack. Being an officer in great eſtimation with the Dutch, he was never puniſhed for his miſconduct as he deſerved; but the King would not admit him into his preſence for many months after. The reputation loſt by Luxemburg in ſuffering himſelf to be ſurpriſed upon

upon this occaſion, he more than retrieved by his ſubſequent exertions*. The loſs of the French, nevertheleſs, in this engagement, was at leaſt as great as that ſuſtained by the Allies, who had to regret the loſs of two excellent officers in the Generals Mackay and Lanier, and about 6 or 7000 men killed, wounded, and priſoners. After this action nothing of conſequence was attempted on either ſide during the remainder of the campaign.

Grandval's plot

A horrid conſpiracy againſt the life of King William was diſcovered in the month of Auguſt 1692. It appears that this plot was formed in the courſe of the laſt year; that M. de Grandval, a captain of dragoons in the French ſervice, M. Dumont and Colonel Parker had propoſed this aſſaſſination to M. Louvois, who liſtened to it with approbation. But the deſign proved abortive through the want of reſolution on the part of Dumont, who retired in the cloſe of the year to Hanover. Suſpicions ariſing from hints dropped by Dumont, and reported to the King's Envoy at Hanover, that ſome dangerous deſign was in agitation; one Leefdale, a Dutchman, was ſent to France as a ſpy, who, ingratiating himſelf into the confidence of Grandval, pretended to engage as an accomplice in the conſpiracy; and Dumont at length revealed all the circumſtances of the plot to the Duke of Zell. Grandval, having accompanied Leefdale to Holland, was arreſted at Eyndhoven. When he found that Dumont and Leefdale had turned informers, he made a free and full confeſſion of the whole buſineſs. Being afterwards tried by a court-martial, of which the Earl of Athlone was preſident, he was unanimouſly convicted, and ſoon afterwards executed in the camp. The particulars of his confeſſion, as

* Millevoix, a detected ſpy, was compelled by menaces to miſlead Luxemburg with falſe intelligence, importing that he need not be alarmed at the motions of the Allies, who intended next day to make a general forage.—M. de Feuquieres acknowledges, "that the deſign of the King of England in this attack was truly great, but that he ought not to have diſpoſed his forces in order of battle when they had paſſed through the defiles; but, as he marched them in different columns through thoſe defiles, he ſhould have attacked the front of the French camp in the ſame order, and on the ſame direction, to take the whole benefit of the enemy's firſt ſurpriſe, to penetrate their lines, to hinder their forming at all, and to improve the confuſion ſo created into a perfect rout.

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enumerated in the ſentence of the Court Martial, are extremely remarkable. It appears, "that the Marquis de Barbeſieux, having found the project of this plot amongſt his father's papers, held ſeveral conferences with the aſſaſſins reſpecting it; and that the plan was finally agreed upon with this Miniſter—that on the 16th of April 1692 Grandval, Leefdale and Parker went to St. Germaine's to ſpeak with the late King James about the ſaid deſign, who had knowledge of it, and to take leave of him before they began their journey—that the priſoner had audience of the King, the Queen being preſent; the King telling him: 'Parker has given me an account of the buſineſs: if you and the other officers do me this ſervice, you ſhall never want.'—That the priſoner, with Chanlais (Quarter-Maſter General to the French King) and Leefdale, were agreed in what manner the aſſaſſination ſhould be committed: viz. that when the King ſhould ride along the lines, or ſhould go out to take any view, &c. Dumont ſhould lie in ambuſcade and fire upon the King; that Chanlais ſhould be with 3000 horſe at the Duke of Luxemburg's grand guard; the priſoner ſaying, that it little concerned them whether Dumont ſhould be taken or not, provided they could eſcape themſelves—that the priſoner, as they were travelling, told Leefdale, that, their deſign taking place, the alliance among the confederate Princes would be broken; that the Princes concerned would each of them recall their troops, and, the country being thereby left without ſoldiers, the King of France would eaſily make himſelf maſter of it, and King James would be reſtored again—that the priſoner, with Leefdale, went to the Mayor of Boiſleduc, and was apprehended at Eyndhoven." However black the colors in which this confeſſion, which was very long and circumſtantial, exhibited the Courts of Verſailles and St. Germaine, no diſavowal or attempt at confutation appeared, but it was ſuffered to paſs with every ſymptom of conſcious guilt into ſilent oblivion.

Campaign on the Rhine, &c. 1692.

The campaign on the Rhine this year furniſhed no event worthy of hiſtoric notice. The ſame may be ſaid of the war in Catalonia. In Hungary, the important town of Great Waradin ſurrendered to the Imperial arms after a long blockade. The ſuperiority of the Confederates ſeemed

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ſeemed this year conſpicuous, chiefly on the ſide of Italy; the Duke of Savoy, accompanied by M. Schomberg and Prince Eugene, making a formidable irruption into Dauphiné, croſſing the Durance, and reducing Fort Guilleſtre, with the towns of Ambrun and Gap. Marechal Catinat, at the head of an inconſiderable force, exerted himſelf in vain to ſtop the progreſs of the Allies, who threatened the city of Grenoble, and even Lyons itſelf. Large contributions were levied, and near 80 chateaus and villages deſtroyed, in revenge for the ravages committed by the French in the Palatinate. France has rarely been expoſed to a more dangerous attack. M. Schomberg, who commanded the Engliſh auxiliaries, publiſhed a declaration in the name of the King of England, inviting all perſons to repair to his ſtandard, and aſſuring them "that his Majeſty had no other aim in cauſing his forces to enter France, than to reſtore the Nobility and Gentry to their ancient ſplendor, the Parliaments to their former authority, and the PEOPLE to their juſt privileges." This manifeſto, however honorable and noble its object, produced in the preſent enſlaved and torpid condition of the country very little effect; and it may eaſily be ſuppoſed not very palatable to the other powers of the Alliance. From whatever cauſe they might originate, diſſenſions aroſe and differences of opinion prevailed amongſt the Generals of an army compoſed of Italians, Engliſh, Germans and Spaniards. A dangerous illneſs which at this time ſeized the Duke of Savoy, the vigilance of Catinat, who had poſſeſſed himſelf of ſome important paſſes, and the approach of winter, made it expedient to think of a retreat; and after demoliſhing the fortifications of Ambrun, they evacuated their conqueſts with a facility and rapidity not inferior to that with which they had been acquired.

Hanover erected into a ninth Electorate.

The proteſtant intereſt in Germany acquired this year an acceſſion of ſtrength, by the creation of a ninth Electorate in favor of Erneſt Auguſtus Duke of Hanover. Renouncing its antient connection with France, that *auguſt Houſe* now formed new ties of amity and alliance with England; and it was in conſequence of the powerful interpoſition of King William that the Emperor at length reluctantly conſented to

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beſtow upon it this high and envied dignity; to which was annexed the office of Great Marſhal of the Empire: but though honored with the Imperial inveſtiture, he was not yet admitted to take his ſeat in the Electoral College, the unanimous aſſent of the Electors being found unobtainable.

Machinations of the Jacobites.

Towards the end of October 1692 the King returned to England, where events of great importance had taken place in his abſence. On the preſumption that he would paſs the ſummer months on the Continent, the Jacobites had renewed their machinations with incredible zeal and activity. So early in the year as January, Colonel Parker arrived in England, and communicated in confidence to various perſons the deſign of aſſaſſinating the King in Flanders, and of making at the ſame time a deſcent upon England. He aſſured them that their lawful Sovereign would once more viſit his dominions, at the head of 30,000 men, to be embarked at La Hogue, the tranſports being already collected, and a fleet equipped for their convoy. He therefore exhorted them to be ſpeedy and ſecret in their preparations, that they might be in readineſs to take arms and co-operate in effecting his reſtoration*. King James himſelf at the ſame time publiſhed a Declaration, which was aſſiduouſly circulated by Parker and his other emiſſaries in England, importing, "that the King of France had enabled him to make another effort to retrieve his Crown, and ſoliciting all perſons to join his ſtandard—making grievous complaints of the treatment which he had met with from his *infatuated* ſubjects. Seeing himſelf deſerted by his army, and betrayed by his Miniſters, he had for his perſonal ſafety taken refuge in France; and his retreat from the malice and cruel deſigns of the Uſurper had been conſtrued into an abdication, and the whole conſtitution of the Monarchy deſtroyed by a ſet of men illegally aſſembled. He promiſed pardon, and even rewards, to all thoſe who ſhould return to their duty; and engaged to procure in his firſt Parliament an Act of Indemnity, with the exception nevertheleſs of a

* Vide depoſitions of Blair, Goodman, &c. taken before the Secretary of State.

long

long catalogue of names *, enumerated in the Declaration, concluding with vague and general promiſes of protection to the Church as by law eſtabliſhed; and pompous proteſtations of paternal care and watchful attention to the welfare and happineſs of all his ſubjects." The agents of the late King were indefatigable in enliſting men for his ſervice; and were particularly ſucceſsful in the counties of York, Lancaſter, and Durham, where the chief ſtrength of the Papiſts lay. By this time James had repaired in perſon to La Hogue, and was ready to embark with his army, conſiſting of a body of French troops, together with a conſiderable number of Engliſh and Scotch refugees, and the regiments tranſported from Ireland by virtue of the capitulation of Limerick. The Government of England was well informed of theſe proceedings, in part by ſome agents of James, who betrayed his cauſe, and partly by Admiral Carter, who, having been tampered with by the Jacobite emiſſaries, was inſtructed to amuſe them with a negotiation. The Queen iſſued a proclamation commanding all Papiſts to depart from London and Weſtminſter. Warrants were expedited for apprehending divers diſaffected perſons. The Earls of Huntingdon, Marlborough, Dunmore, and Middleton, &c. were committed to the Tower; and various other ſuſpected perſons impriſoned in Newgate, amongſt whom was the notorious Ferguſon, ſaid to have been engaged in every plot againſt the Government for the laſt thirty years. The Biſhop of Rocheſter was confined to his own houſe, and the Lords Brudenel and Fanſhaw ſecured. The train-bands of London and Weſtminſter were armed by the Queen's direction, and ſhe reviewed them in perſon. And the grand Channel fleet, under Admiral Ruſſel, was ordered to put to ſea with all expedition. In conſequence of a very prevailing report, not to ſay belief, of the diſaffection of the officers, the Queen ordered Lord Nottingham to write to the Admiral, that ſhe would change none of them; and that ſhe imputed the reports that had been raiſed to the contrivances of her enemies and theirs. This ſtep, equally politic and generous, produced a very warm and loyal Addreſs from the

* Amongſt theſe were the Duke of Ormond, the Lords Sunderland, Danby, Nottingham, Churchill, Delamere, Cornbury, &c. &c. the Biſhops of London and St. Aſaph, Drs. Tillotſon and Burnet; and Edwards, Stapleton, and Hunt, fiſhermen at Feverſham.

Naval

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Naval Commanders and Captains, in which they vowed they were ready to die in her cauſe and that of their country. Far from prohibiting James's Declaration, ſhe ordered it to be publiſhed with an anſwer drawn by Lloyd Biſhop of St. Aſaph—thus manifeſting that ſhe ſubmitted her title to the reaſon of her ſubjects, inſtead of betraying a fear that it could not ſtand the teſt of examination.

On the 5th of May (1692) the Admiral ſailed from the Nore; and being anxious to join the ſquadrons of Carter and Delaval, then cruiſing on the coaſt of France, after being himſelf joined by the Dutch, he plied through the ſands with a ſcanty wind from the Nore to the Downs, and with much difficulty and excellent ſeamanſhip effected the deſired junction off Beachy-head; thus diſappointing the hopes of Tourville, the French Admiral, who had formed a plan to intercept them.

Victory off La Hogue.

On the 19th of May they deſcried the enemy's fleet to windward bearing down upon them with full ſail—Cape Barfleur being then about ſeven leagues to the S. W. The Engliſh and Dutch fleets conjoined conſiſted of no leſs than ninety-nine ſhips of the line, being, next to the Spaniſh armada, the greateſt armament ever ſeen in the Engliſh Channel. The Count de Tourville, though far inferior in force, had poſitive orders from his Court to fight, under the perſuaſion that the Dutch had not yet left their harbors; and when he diſcovered his miſtake, it was too late to retreat. The Count himſelf, in the Soleil Royal of 110 guns, bore down upon the Engliſh Admiral with great courage. The battle ſoon became general, and laſted from ten in the morning till four in the afternoon, when a thick fog aroſe, and for a time ſeparated the combatants. The ſun at length breaking out afreſh, Admiral Ruſſel perceived the French towing away in great diſorder. The ſignal for a general chaſe was then made, which continued during the remainder of the evening, and the whole of the night, to the weſtward—ſuppoſing they would make for the harbor of Breſt. The next morning, thirty-four of the enemy's ſhips were ſeen crowding all their ſail, and ſteering weſterly. The purſuit continued with redoubled vigor, without regarding the order of battle, every ſhip making the beſt of her way. On the morning

ing of the 22d, part of the French fleet was deſcried near the Race of Alderney, ſome at anchor, and ſome driving to the eaſtward with the tide of flood. The Soleil Royal having loſt her maſts, ran aſhore, together with the Admirable another firſt-rate, and the Conquerant of 80 guns, near Cherbourg, where they were followed and burnt by Sir Ralph Delaval. Eighteen other ſhips of the enemy's line ſtood for La Hogue; and, being unable longer to keep the ſea or elude the purſuit, as a laſt reſource ſtranded themſelves as far as poſſible on the beach. Vice-Admiral Rooke immediately ordered the boats and fireſhips of his ſquadron, under cover of ſeveral frigates, to attack them. Of this extraordinary ſcene the troops deſtined for the invaſion of Great Britain, and encamped at La Hogue, the late King himſelf, the Marechal de Bellefonds, the Count de Tourville, &c. in common with many thouſands of the people inhabiting the ſurrounding country, were the amazed ſpectators. The ſhips were protected on one ſide by cannon planted on platforms; and on the other by ſhallops manned by numerous crews with all the means of annoyance. Regardleſs of danger, the Britiſh ſailors rent the air with ſhouts; they crowded to the boats with an emulation of eagerneſs; and no ſooner had they reached the ſhips, than they attacked them in ſwarms.—Scarcely was there an interval between their riſing from below, and their appearing maſters above; which was immediately proclaimed by their turning the guns upon the enemy: and all oppoſition being thus diſarmed, they proceeded to burn the ſhips amidſt acclamations of triumph; and, having accompliſhed their deſign, returned unmoleſted to the fleet. Thirteen capital ſhips were thus deſtroyed from 84 to 60 guns each, beſides tranſports and ſtore-ſhips. During the conflict James repeatedly exclaimed with rapturous admiration, "See my brave Engliſh!"—conſcious, nevertheleſs, that he was viewing the extinction of his hopes. Sir John Aſhby, and Admiral Allemond the Dutch commander, purſued the remainder of the French fleet, which eſcaped with great difficulty, through the Race of Alderney. The loſs of the Engliſh and Dutch was altogether trifling. The only flag-officer killed was Rear-Admiral Carter, who fell in the firſt day's engagement, leaving orders with his Captain, almoſt in his lateſt breath, to

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fight the ſhip as long as ſhe could ſwim. At the cloſe of the action, James returned in mournful ſilence to the Convent of La Trappe, there to bury in ſolitude and deſpair the remembrance of his former greatneſs. "He now began," as he expreſſes himſelf in his Memoirs, "to perceive that Providence meant to lead him through paths of affliction to his grave." From the boſom of his retreat he addreſſed a letter to the King of France, acknowledging that "this laſt diſaſter had entirely overwhelmed him—that he knew too well it was his own unlucky ſtar which had drawn this misfortune upon his forces, always victorious but when they fought for his intereſts. He therefore entreated his Moſt Chriſtian Majeſty no longer to regard as an object of his concern a Monarch ſo unfortunate as himſelf—but permit him to retire with his family to ſome corner of the world, where he might ceaſe to obſtruct the uſual courſe of his Moſt Chriſtian Majeſty's proſperity and conqueſts." Louis endeavored to alleviate his affliction by a kind anſwer, in which he generouſly promiſed never to forſake him in the worſt of his extremities.

Queen Mary was no ſooner informed of the glorious victory gained at La Hogue, than ſhe ſent 30,000l. to Portſmouth, to be diſtributed amongſt the ſailors. She cauſed medals to be ſtruck in honor of the victory, and as tokens to the officers; and ordered the bodies of Admiral Carter and Captain Haſtings, killed in the battle, to be interred with great funeral pomp. A deſcent upon the coaſt of France was alſo projected, and the troops actually embarked on board the tranſports; but this ſcheme was, to the diſappointment of the public, ultimately laid aſide, and the regiments deſtined for the ſervice ſent to join the army in Flanders.

The King had been received on his return from abroad with very great acclamation, notwithſtanding the ill ſucceſs of the continental campaign; the minds of the people being impreſſed with the idea of the naval victory, and their conſequent deliverance from a French invaſion; and their admiration excited by the heroiſm of the King's character, no leſs than their indignation at the atrocious conſpiracy againſt his life. On the 4th

4th of November (1692) the Parliament met, and were addreſſed by the King in a very popular ſpeech. "I am ſure," ſaid this great Monarch in concluſion, "I can have no intereſt but what is yours: we have the ſame religion to defend, and you cannot be more concerned for the preſervation of your liberties and properties, than I am that you ſhould always remain in the full poſſeſſion and enjoyment of them." At a very early period after the commencement of the ſeſſion, the Earls of Huntingdon, Scarſdale and Marlborough, who had been committed in May laſt priſoners to the Tower, where they had lain during ſome weeks, complained to the Houſe of Peers, that, on appearing before the Judges of the King's Bench at the Michaelmas term preceding, the Court had refuſed to diſcharge them from their bail, or to bring them to trial, conformably to the proviſions of the Habeas Corpus Act. On this great debates enſued; and the Houſe came to a reſolution, "that no Peer ſhall be remanded to priſon by the King's Bench upon his appearing before them by virtue of the Habeas Corpus Act after having entered his prayer to be tried as the ſaid act directs, or kept under bail unleſs there be againſt him two witneſſes upon oath or in a capacity to be ſworn." A day being appointed to conſider in what manner to diſcharge the Lords under bail from their recognizance, the Houſe was informed, that the King had given orders for their releaſement.

Seſſion of Parliament.

The Earl of Marlborough had been committed to the Tower, on the information of one Young, a priſoner in Newgate, who had, as it afterwards proved, framed the draft of a treaſonable aſſociation to aſſiſt King James on his landing, to ſeize on the perſon of the Princeſs of Orange, &c.; to which he had forged the names of Archbiſhop Sancroft, the Biſhop of Rocheſter (Sprat), the Earls of Marlborough and Sailſbury, Lord Cornbury, Sir Baſil Firebrace and John Wilcox. One of his emiſſaries had found means to ſecrete this paper in the library of the Biſhop's palace at Bromley in Kent, where it was found by the King's meſſengers. On the ſubſequent examination of this prelate by the Privy Council, the whole villainous impoſition was detected, the Biſhop honorably diſcharged, the Earl of Marlborough admitted to bail, and a

Earl of Marlborough releaſed from the Tower.

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bill of forgery and ſubornation of perjury found by the Grand Jury of Middleſex againſt Young.

A miſunderſtanding having taken place, after the victory of La Hogue, between Admiral Ruſſel and the Secretary of State Lord Nottingham; it was now transferred to the two parliamentary factions, and converted into a political and party conteſt. In the Houſe of Lords the intereſt of the Court predominated, and the Earl of Nottingham was completely exculpated. In the Houſe of Commons, the advantage remained with Ruſſel. The Lower Houſe returned the papers of the Secretary of State tranſmitted from the Lords, with the declaration, that they had read and well conſidered the papers in queſtion, and had unanimouſly reſolved, "That Admiral Ruſſel in his command of the fleets had behaved with fidelity, courage and conduct." They alſo came to a very pointed vote, "That his Majeſty be humbly adviſed, for the neceſſary ſupport of his Government, to employ in his councils and management of his affairs, ſuch perſons only whoſe principles oblige them to ſtand by him and his right againſt the late King James and all other pretenders whatſoever." This was extremely invidious, and even unjuſt. According to the Earl of Nottingham's explanation of his own principles, when the new ſettlement took place, he could very conſiſtently obey that King whom the Nation had elected; and he had in fact ſerved him ably, zealouſly, and faithfully. And the vote could have no propriety, except the Earl had in any point ſwerved from the allegiance he had ſolemnly ſworn, which might be affirmed of various of his adverſaries with a much nearer approach to truth than of him. The Houſe paſſed another vote, probably as little acceptable to the Earl, for an Addreſs to the King, "that in future all orders for the management of the fleet ſhould paſs through the Admiralty." Alſo, in a grand committee, the commons came to an unanimous vote, "that there had been an apparent miſcarriage in the management of affairs relating to the deſcent the laſt ſummer." Yet on the ultimate criminatory reſolution, "that one cauſe of the ſaid miſcarriage was the want of giving timely and neceſſary orders by ſuch perſons to whom the management of this matter was committed," the friends of the Earl of Nottingham

tingham ſo vigorouſly exerted themſelves, that it was carried by a ſingle vote only, viz. 165 to 164—ſo that this deep-laid project of the Whigs for the diſgrace and removal of the Earl of Nottingham proved abortive. The King, who well knew that the failure of the plan of deſcent was aſcribable to far other cauſes than the negligence or incapacity of the Secretary of State, took a decided part in favor of the Miniſter, and diſmiſſed Admiral Ruſſel from the ſervice.

Admiral Ruſſel diſmiſſed.

In this ſeſſion the affairs of the Eaſt India Company were reſumed, and a bill ordered in for regulating, preſerving, and eſtabliſhing the Eaſt India trade to this kingdom—which was in fact a bill for eſtabliſhing a new Company under new regulations. But the progreſs of the bill through the Houſe was much impeded by the intereſt of the old proprietors, and the whole buſineſs terminated in an Addreſs to the King, "That he would be pleaſed to diſſolve the Company upon three years' warning, according to the condition of their charter;" to which the King replied in ambiguous terms, declaring his intention, with a view to the good of the Kingdom, to take this Addreſs into conſideration.

Affairs of the Eaſt India Company.

A bill of a very popular nature was at this period brought into Parliament by the Whigs, whoſe oppoſition to the Miniſtry became now very powerful, "for free and impartial proceedings in Parliament," rendering all Members of the Houſe of Commons incapable of places of truſt or profit. This bill, the firſt of a long ſeries of Place Bills which met with the ſame fate, paſſed the Houſe of Commons without difficulty, and was, after vehement debate, rejected by the Lords. The Earl of Mulgrave exhauſted his eloquence in a celebrated ſpeech in ſupport of the bill; concluding with the obſervation, "that, whatever ſucceſs the bill might have, there muſt needs come ſome good effect of it. For, if it paſſes," ſaid his Lordſhip, "it will give us ſecurity; if it be obſtructed, it will give us warning."

A bill of ſtill greater importance was ſoon afterwards introduced by the Earl of Shrewſbury, "for the frequent calling and meeting of Parliaments." By this bill it was enacted, that a ſeſſion of Parliament ſhould be held

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every year, and a new Parliament ſummoned every third year. It was therefore known by the appellation of the Triennial Bill. This bill paſſed the Lords by a great majority, and, contrary to the general expectation, was well received by the Commons, notwithſtanding the oppoſition of the Courtiers; for the Whigs and the Tories were now running a race for popularity. But the bill was extremely unacceptable to the King, who regarded it as a dangerous novelty, and a ſerious invaſion of his prerogative. When he came to the Houſe, therefore, to paſs the bills which were ready, after ſuffering that in queſtion to lie long on the table, and exciting the eager curioſity and anxious expectation of the by-ſtanders, he at length refuſed the royal aſſent.

Royal aſſent refuſed to the Triennial Bill.

Complaint having been made to the Houſe of Commons of a pamphlet written by Charles Blount, Eſq. entitled "King William and Queen Mary Conquerors;" it was ordered to be burnt by the common hangman, together with a paſtoral letter of Burnet Biſhop of Sarum, containing the ſame dangerous and unconſtitutional aſſertion. A ſimilar doctrine had been inculcated by Lloyd Biſhop of Worceſter, in a ſermon preached before their Majeſties November the 5th, 1690, and afterwards licenſed by authority, on the text, "For promotion cometh neither from the eaſt nor from the weſt, nor from the north nor from the ſouth; but GOD is the judge, he putteth down one and ſetteth up another." This was mentioned in the Houſe with great diſapprobation, but out of reſpect to Majeſty no vote paſſed relative to it.

Enquiry into the ſtate of Ireland.

A very great proportion of the preſent ſeſſion was occupied in the inveſtigation of the affairs of Ireland, where groſs and flagrant abuſes were ſaid to have been committed under the adminiſtration of Lord Coningſby and Sir Charles Porter, Lords Juſtices of that Kingdom, previous to the appointment of Lord Sydney as Lord Lieutenant. Various witneſſes were examined at the bar of the Houſe; particularly Mr. Slone and Sir Francis Brewſter, both members of the Iriſh Parliament, who gave a long and intereſting detail of the heavy oppreſſions under which the Iriſh Nation labored. In the ſequel, the Houſe preſented an Addreſs to the King, ſtating both the real and imaginary grievances of that country in ſtrong

language. Under the former head may be ranked the miſeries of free-quarters, and the licentiouſneſs of the army, the with-holding the ſoldiers' pay, and the embezzlements practiſed, and frauds committed, reſpecting the forfeited eſtates:—under the latter, the protections granted to Papiſts, the reverſal of outlawries, and the indulgence extended to Catholics by the capitulation of Limerick. The King, in reply, engaged to remedy whatever was found to be amiſs reſpecting theſe matters.

The complaints of the Iriſh had by no means ceaſed in conſequence of the appointment of the preſent Governor, who had given much diſguſt to the Iriſh Parliament by his haughtineſs. "There never was," as Mr. Slone declared, "an Houſe of Commons of that Kingdom of greater property or better principles than thoſe which met under Lord Sydney's adminiſtration: nor could any men be more gratefully ſenſible of the kindneſs which in their diſtreſs they had received from the Engliſh Nation, or more cordially diſpoſed to make ſuch returns to the Crown as became them. After Parliaments had been diſcontinued for about 27 years, with an exception to that held by King James, nothing could be more welcome than ſuch a meeting. The civil and military liſts having been laid before them; Mr. Pulteney, Secretary to the Lord Lieutenant, demanded a fund for the raiſing 70,000l. per annum to make the income of the Government anſwerable to its expences. Though the country was ſo exhauſted with the late war as to be rather in a condition to demand abatements than to grant freſh contributions; ſuch was their zeal that they adopted the Secretary's motion, and reſolved to make proviſion accordingly. Ways and means came next under conſideration; but ſuch was the impatience of the Court, that two bills were ſent down to them ready drawn from the Council Board, which they were required to paſs without any farther ceremony. One of theſe was an impoſt of exciſe upon beer, ale and other liquors; and the other laid a tax of 15d. per acre on all corn throughout the kingdom. The firſt of theſe was not objected to as to the matter, but the ſecond was univerſally reprobated. Then, as to the manner of introducing theſe bills, though by Poyning's Law no bill was to be paſſed in Ireland till it had firſt received the ſanction of the Engliſh Privy Council,

BOOK II. 1692. Council, it was never pretended that the Commons of Ireland were by that act foreclosed from taxing themselves in their own way. Not to give color, however, to misrepresentation, they suffered the Excise Bill to lie before them, and prepared a Poll Bill to make up the deficiency thereof. But the Courtiers refused to give ear to any such temperament. They said publicly, 'That if their money bills were not passed in their own way, the army should continue at free-quarter.' At this period there were various National Bills depending in the House, viz. a Habeas Corpus Bill, a Bill for restraining the jurisdiction of the Council Board; a Bill to prevent the buying and selling of Offices, &c. which were intended to accompany the Tax Bills. But the necessity of an immediate supply was so earnestly pressed, that the House consented to pass the Excise Bill, with a proviso that it should never be drawn into precedent. At the same time they rejected the Corn Bill, for the express reason that it did not take its rise among the Commons. All the Courtiers joined in this compromise; and the House had every reason to believe that his Excellency the Lord Lieutenant was perfectly satisfied with it. On the 2d of November he sent for the Committee to wait on him in Council upon the 4th, with the heads of their new laws—yet, no sooner was he in possession of the new Excise, i. e. on the 3d, than he reprimanded them severely for entrenching on his Majesty's prerogative and the rights of the Crown of England by their votes and rejection of the Corn Bill, and entered his protest in the Lords' Journal against those votes—after which he prorogued them to the 16th of April. This behavior of the Lord Lieutenant," Slone said, "had opened the eyes of the Members, and they resolved to send over agents of their own to England, to guard against his devices, by laying a plain and true state of their whole conduct before their Majesties. In order, however, that their conduct might be in all respects unexceptionable, they determined to ask the consent of the Lord Lieutenant. The answer they received was, 'that they could not have a better agent than the King himself—but if they would have leave for any to go over and beg the King's pardon for their riotous and disorderly meetings, they might have it. Nor was this all: an order was issued to prosecute them upon an information in the King's Bench, but stopped on better advice, the gentlemen being resolved to defend what they

they had done. Laſtly, to ſhew how reaſonably the petition to ſend agents to Court was founded, it was farther alleged by Slone, that the Papiſts were in actual poſſeſſion of that liberty which, if extended to Proteſtants, would have prevented the neceſſity of rendering the Iriſh Houſe of Commons obnoxious by the rejection of ſo many bad bills with fair titles, viz. the Bill for confirming the Act of Settlement, ſo worded as to make the remedy worſe than the diſeaſe—another, to reverſe the proceedings under King James's Act of Attainder, which had a clauſe no one dared to accept—a third, for puniſhing Mutiny and Deſertion, but without any clauſe for regulating quarters, for a ſtated term of three years, and from thence to the next ſeſſion of Parliament, which it was in the power of the Crown to poſtpone for 27 years longer—and a fourth, for a new eſtabliſhment of the Militia, which required ſome counties to raiſe more men than the Proteſtant inhabitants in them amounted to; and impoſed ſuch arbitrary methods of raiſing the money for their ſupport upon all, under ſuch ſevere penalties, that the Houſe, though deſirous to render the militia uſeful, rejected it as a burden too grievous to be borne." This is a brief ſummary of Slone's famous evidence, and it affords a wide ſcope for deep and ſerious reflection. The King, finding that Lord Sydney had made himſelf extremely obnoxious to the Iriſh Nation, had the good ſenſe immediately to recall him, though he ſtill retained the high place he had always held in the King's perſonal favor. The government of the Kingdom was again committed to Lords Juſtices, who were Lord Capel, Sir Cyril Wyche, and Mr. Duncombe.

The ſeſſion of Parliament in England terminated on the 14th of March 1693; the King informing the two Houſes in his ſpeech, that the poſture of affairs neceſſarily required his abſence abroad. The Tories ſtill retained their aſcendency at Court; and the Earl of Nottingham was conſidered as the Miniſter who poſſeſſed the chief credit with the King. Nevertheleſs it was the policy of William in a certain degree to balance the two parties: the Whigs had at no time, therefore, been totally excluded from the great executive offices of Government; and the genius of the King himſelf pervading the whole tenor of the Adminiſtration, the general ſpirit

of

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of it was mild, ſagacious and beneficent. With the public it was evident that the Earl of Nottingham's reputation was on the wane; though the accuſations laid to his charge appear to have been falſe or futile. It was impoſſible but that ſome miſcarriages ſhould have taken place, in a Miniſtry now of ſeveral years' duration. The language of Oppoſition is always popular; the conduct of a Miniſter is often neceſſarily unpopular. The victory of Ruſſel had faſcinated the Nation, and his prejudices and animoſities were adopted by the multitude with little knowledge or diſcrimination. The King, perceiving the neceſſity of farther conciliating the Whig party, at this period gave the Seals vacated by Lord Sydney to Sir John Trenchard, who had been engaged in Monmouth's rebellion, and afterwards lived ſome years on the Continent. He was a man of much calm reſolution, ſtrongly attached to the principles of liberty, and well acquainted with foreign affairs. On the ſame day Sir John Somers, Attorney General, was declared Lord Keeper of the Great Seal, which had been now ſeveral years in commiſſion. No appointment could be more popular, or more judicious. Somers was a man of ſtrict integrity, of great capacity for buſineſs, of the mildeſt and moſt engaging manners, of the moſt generous and liberal principles. Not ſatisfied with the reputation of being the firſt lawyer and ſtateſman of the age, he was alſo an exquiſite judge and moſt munificent patron of literary merit. In a word, in him were united all the virtues and accompliſhments which can make a character either great or amiable; and Hiſtory is proud to exhibit him as one of thoſe exalted perſonages who occaſionally appear to adorn and to enlighten a world too often ignorant or inſenſible of their merits. The department of the Admiralty was now placed in the hands of Sir Cloudeſley Shovel, an officer diſtinguiſhed by his profeſſional and perſonal merit, aſſiſted by the Admirals Killegrew and Delaval.

Sir John Somers made Lord Keeper of the Great Seal

The KING embarked for Holland March the 31ſt 1693, and immediately repaired to the army in Flanders, where the French had aſſembled a force far ſuperior to the Confederates. The King of France having joined his army in perſon, it was concluded that ſome grand deſign was in contemplation either upon Maeſtricht, Bruſſels or Liege. But the King

King of England having with great diligence poſſeſſed himſelf of the ſtrong poſition of Parke near Louvaine, the meaſures of the enemy were broken; and Louis, after detaching a body of 20,000 men to the Upper Rhine, left the care of the army to the Marechals Luxemburg and Boufflers, and returned in ſome diſappointment to Verſailles. The Duke of Luxemburg now removed his camp to Meldert, within half a league of the Allies—and an engagement was hourly expected; but neither ſide found a favorable opportunity of attack. The Duke of Wirtemberg, however, with a detachment of 33 battalions and ſquadrons, forced the French lines between the Scheld and the Lys, and laid the whole country as far as Liſle under contribution. On the ſame day (July the 18th) on which the enemy's lines were forced, Marechal Luxemburg quitted the camp of Meldert, and moved towards Huy, which was next day inveſted by Marechal Villeroi; and, after a feeble defence, it capitulated on the 23d. The French General then marched forwards to Liege; but the Allies had taken the precaution of throwing ten battalions into the place. Marechal Luxemburg nevertheleſs made ſuch diſpoſitions as ſeemed to threaten an approaching ſiege; but, on a ſudden, early in the morning of the 28th, he quitted his poſt at Hellicheim, ſeven leagues diſtant from the camp of the Confederates, and, marching in four columns, paſſed the Jaar; and before the cloſe of day reached the village of Roucoux. The King of England, on diſcovering the van-guard of the enemy, reſolved to wait the attack; as an attempt to retreat would have left his rear expoſed, and the chief towns of the province of Brabant uncovered.

Battle of Landen.

The Duke of Wirtemberg not having yet rejoined the army, Marechal Luxemburg was ſuperior, as it is ſaid, by 30,000 men to the Allies. But the King depended on the ſtrength of his poſition. The right of the confederate army extended to the banks of the Geete, the front being covered with hedges and hollow ways, ſtretching to the village of Neer-Winden in the centre. The left reached Neer-Landen, on the rivulet of that name; and the two villages were joined by an entrenchment, and the approaches covered with above 100 pieces of cannon.

BOOK II. 1693. But the experienced and vigilant eye of Luxemburg diſcovered a great defect in this diſpoſition. From the vicinity of a moraſs bordering on the Geete, at the back of the Engliſh camp, and the nature of the ground in front, he ſaw that the cavalry of the left wing would be unable to act with effect. And on reconnoitring the ground previous to the engagement, he exclaimed, "Now I believe that Waldeck is really dead!"—that General having been famous for his ſkill in encampment. The French began the battle at ſunriſe, by a furious attack on the villages of Neer-Winden and Landen; for the entrenched front was unapproachable while they were expoſed to the fire of the two villages in flank. After a deſperate conflict, the enemy made themſelves maſters of theſe important poſts. M. de Luxemburg then ordered a general charge upon the whole line, which was carried into execution with an impetuoſity that ſurmounted all reſiſtance. The King of England, who was ſeen by turns in every poſt of danger, behaved with the moſt heroic courage, bringing up in perſon the Engliſh cavalry to the ſuccor of the Dutch and Hanoverian horſe, and charging twice at the head of the battalions at the entrenchment. The Elector of Bavaria, after making every poſſible effort, retreated over the bridge thrown acroſs the Geete, and rallied the fugitives. The King, ſeeing the battle loſt, yet remained in the field, to give the neceſſary orders for the ſafety of the troops, diſplaying, in the opinion of all, no leſs conduct than valor. "I ſaw," ſaid the Prince of Conti in an intercepted letter to his Princeſs, "the King of England expoſing himſelf to the greateſt dangers. Surely ſo much valor well deſerves the peaceable poſſeſſion of the crown he wears." The Duke of Berwick being taken priſoner in the heat of the battle was carried to the King by General Churchill. That great man informs us in his Memoirs, "that the firſt thing which ſtruck him, who had never ſeen the perſon of the Prince of Orange before, was his eye like that of an eagle. He took off his hat without ſpeaking to the Duke, and continued giving his orders with a calmneſs which ſhewed the moſt perfect negligence of danger." The French Commander himſelf joined in the general applauſe; and when the King of France read the accounts tranſmitted to him of this battle, he declared,

clared, "that Luxemburg had attacked like Condé, and that the Prince of Orange had retreated like Turenne."

The loſs ſuſtained by the two armies was nearly equal—about nine or ten thouſand men. King William being joined in a few days by the Duke of Wirtemberg, and recalling his detachment from Liege, found himſelf immediately in a ſituation to riſque another engagement. Both armies however remained for ſome weeks inactive, till, Marechal Boufflers having led back the reinforcement detached ſome months ſince to the Upper Rhine, ſiege was laid to Charleroy, which the utmoſt efforts of the Allies were inadequate to relieve. After a very gallant reſiſtance of 31 days, the Governor capitulated on the moſt honorable conditions; and the reduction of the place was celebrated with a *Te Deum* and other rejoicings at Paris. The conqueſt of Charleroy concluded the campaign in the Netherlands.

Charleroy taken by Marechal Luxemburg.

The French army on the Rhine, commanded by the Marechal de Lorges, paſſed that river in May, and inveſted the city of Heidelberg, which, being taken by ſtorm, was delivered up to all the horrors of cruelty, luſt and rapine. Every houſe was ranſacked and plundered. The churches were no longer ſanctuaries. The ſame impious hand that robbed the altar, left it ſtained with human gore. The Capuchins, on imploring that their monaſtery might be ſpared, were told, that not one ſtone would be left upon another. Even the ſacred monuments of the dead were violated; and the bones of the Electoral family torn with unhallowed rage from the vault where they had repoſed for ages. All the quarters of the town were ſet on fire, and the inhabitants, without reſpect to age, ſex, or condition, were driven almoſt naked to the caſtle to enforce a capitulation. When on the ſurrender of the citadel they were ſet at liberty, numbers of them died on their march, which was by night along the banks of the Necker, of hunger, cold, wearineſs, and all the anguiſh of mind ariſing from ſuch a burſt of calamities. All Europe rung with the horrors of ſo dire a tragedy. Prince Lewis of Baden, who commanded the Imperial army, aſtoniſhed and ſhocked at theſe

Campaign on the Rhine.

Sack of Heidelberg.

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atrocities, ſent a meſſage to Marechal de Lorges, "that he was come from a war againſt the Turks; and that he expected Chriſtian enemies would have treated each other with Chriſtian uſage; but that he found the French acted more like barbarians than their Turkiſh allies—He ſhould therefore in future make ſuch repriſals as would teach them, from concern to themſelves, to ſhew compaſſion to others."

The Moſt Chriſtian King was no ſooner appriſed of the infamous ſucceſs of his arms at Heidelberg, than he ſent his Royal mandate to the Archbiſhop of Paris to celebrate this joyful event by a *Te Deum*. "I ordered," ſaid he, "my couſin the Marechal Duc de Lorges to make himſelf maſter of Heidelberg; and he has executed my orders.—This conqueſt, which begins the campaign ſo glorioufly, affords me time, a freer entrance into the heart of the Empire, and an almoſt certain preſage of farther ſucceſs." But though M. de Lorges continued his march to Hailbron, and made ſeveral attempts to paſs the Necker in order to attack the Prince of Baden, he was invariably repulſed, and at length obliged to retreat by way of Philipſburg back to France.

In Catalonia, the Spaniards ſuffered the loſs of the important town of Roſes, almoſt without reſiſtance. In Piedmont the French had, as in all other parts during this ſummer, greatly the advantage. The campaign opened on the part of the Allies with the ſiege of Pignerol; in which the Duke of Savoy had made ſome progreſs when he underſtood that Marechal de Catinat had deſcended into the plains, and menaced the city of Turin. Alarmed at the danger of his capital, the Duke immediately drew off his army from Pignerol, and marched in queſt of the enemy, whom he found encamped in the vicinity of Marſiglia. The left of the confederate army, compoſed of Spaniſh troops and Imperial cavalry, was commanded by the Marquis de Leganez; the right, of Imperial and Piedmonteſe cavalry and infantry intermixed, by the Duke himſelf, aſſiſted by the Count de Caprara; and the centre, which conſiſted of Imperial, Britiſh, and Piedmonteſe infantry, by Prince Eugene of Savoy and the Count de Las Torres. The Duke of

Battle of Marſiglia.

of Schomberg, who had been denied his juſt rank, fought in the capacity of Colonel only, at the head of his own regiment. Early in the morning of the 4th of October (1693), the enemy advanced to the attack with undaunted reſolution, charging with fixed bayonets at the end of their fuſees, without firing a ſhot—at that time a very unuſual mode of fighting. The confederate troops defended themſelves with equal ſpirit; till, the left wing at length giving way, the infantry in centre were attacked in rear and flank by the enemy's horſe. Here the battle raged more deſperately than ever; and the Britiſh troops had an opportunity particularly to ſignalize themſelves. After the third attack the Count de Las Torres condeſcended to ſolicit the Duke of Schomberg to take upon him the command, and ſecure the retreat of the centre and right wing: but that able officer, inſtead of a magnanimous compliance, coldly replied, "that it was neceſſary firſt to have his Royal Highneſs's order; in the mean time they had no option but to conquer or die." After exhibiting prodigies of valor, the Duke received a mortal wound; and the Confederates were finally compelled to abandon the field of battle covered with heaps of ſlain to the enemy, with almoſt all their artillery, and above 100 ſtandards. But the French army was ſo weakened by this victory as to be incapable of attempting any farther offenſive operation.

The war in Hungary was ſtill carried on to the diſadvantage of the Turks, who this year loſt the fortreſſes of Jeno and Villaguſwar. But the Imperialiſts under the Duc de Croy were repulſed in an attempt on the city of Belgrade.

Smyrna fleet captured.

After the prodigious loſs ſuſtained by the French at the battle of La Hogue the preceding year, their naval exertions during the preſent ſummer were truly aſtoniſhing. So early as the month of May, while the Britiſh ſhips were ſtill in harbor, the different ſquadrons, having joined, formed a grand fleet of no leſs than 71 men of war of the line. In the beginning of June the Engliſh and Dutch ſhips ſailed down the Channel. On the 6th, Sir George Rooke was detached to the Straits with

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with a ſquadron of 23 ſhips as convoy to the Mediterranean and Smyrna trade—the whole fleet accompanying him 50 leagues to the ſouth-weſtward of Uſhant, for greater ſecurity to the merchant-ſhips, amounting to near 400 in number. Unſuſpicious of danger, Rooke proceeded on his voyage; and on the 17th deſcried to his aſtoniſhment the whole French fleet cruiſing about 60 leagues off Cape St. Vincent. In this emergency there was no alternative than to make ſignal for the merchantmen to ſhift for themſelves—the convoy maintaining as well as they were able a running fight for their protection. In the reſult, two men of war, one Engliſh and one Dutch, were burnt, and two Dutch ſhips after a deſperate reſiſtance taken by the enemy, who alſo captured about 40 of the merchantmen, ſeveral of them Smyrna ſhips richly laden, and deſtroyed about 50 more. The greater part ſaved themſelves in Faro, St. Lucar or Cadiz. Sir George Rooke bore away for the Madeiras, whence he arrived at Cork in Auguſt. The French Admiral, M. de Tourville, after inſulting the coaſts of Spain, and burning ſeveral Engliſh and Dutch veſſels at Malaga, Alicant and other places, returned in triumph to Toulon. The greateſt clamors were not without ſome appearance of reaſon excited in England by this misfortune. The Whigs and Anti-courtiers renewed their attacks on the Earl of Nottingham, through whoſe criminal negligence, if not more criminal treachery, it was affirmed, this unparalleled calamity had happened. The Admirals Killigrew and Delaval, both ſtrongly attached to the Tory, not to ſay the Jacobite, party, alſo fell, and with far more reaſon, under great and grievous ſuſpicion. No attempt was made to retrieve the honor of the Britiſh flag, except by an attack on St. Maloes, a noted rendezvous of privateers, by a ſquadron under Commodore Benbow, who cannonaded and bombarded the town, to the great conſternation of the inhabitants, for three days ſucceſſively.

Affairs of Scotland.

In the ſpring of the preſent year 1693, a Seſſion of Parliament was held in Scotland, of which it is neceſſary to give ſome account, as well as of the general ſtate of affairs in that kingdom for ſome years back. The ſyſtem of government which it was the part of wiſdom to adopt

conſequent to the Revolution in Scotland, it was difficult to define, and yet more difficult to execute. The majority of the Convention and of the Nation at large being Preſbyterians, who were ſtrongly attached to the new Government, as the Epiſcopalians on the other hand for the moſt part were to the old, it was a matter of neceſſity rather than choice in the King to confide the adminiſtration of affairs to that party. The Earl of Melville was raiſed to the office of Secretary of State; a nobleman of honeſt intentions, but of very ſlender capacity; firm to Preſbytery, accounted ſomewhat avaricious, but not a man of violence or malignity. He was perſonally known to the King, having taken refuge in Holland from the perſecutions of the late reigns, and had the merit of adviſing and adventuring in the memorable expedition to England. But the King was thought chiefly to rely on the counſels of Dalrymple Viſcount Stair, conſtituted Preſident of the College of Juſtice (father to Dalrymple the Commiſſioner), a man of great craft, who had formerly been an inſtrument of oppreſſion in the hands of Lauderdale, but who now ſtrove to recommend himſelf to favor by his zeal in ſupport of the new eſtabliſhment.

By the promotion of Melville great and indeed mortal offence was given to Sir James Montgomery, one of the leaders of the Preſbyterian party, of far greater ability, but of proportionably leſs moderation and leſs principle; and who now affected on all occaſions to head the party of the diſcontented Whigs. The Parliament of Scotland met on the 17th of June 1689. In the Scottiſh Remonſtrance of Grievances, the 1ſt article was as follows:—"The Eſtates of Scotland do repreſent that the Committee of Parliament called 'The ARTICLES' is a great grievance to the Nation, and there ought to be no Committee of Parliament, but ſuch as are freely choſen by the Eſtates to prepare motions and overtures that are firſt made in the Houſe." The Committee in queſtion, generally denominated *Lords of Articles*, by the gradual uſurpation of the Crown conſtituted indeed a grievance which might well be pronounced intolerable in a free nation. In the inſtructions of the Duke of Hamilton, Lord High Commiſſioner, the conſent of the King was given to the *reform* and *regulation* of this Committee, but not to its abolition—

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ſo reluctant are the beſt and moſt patriotic Sovereigns to relinquiſh power, however invidious or flagrant its miſuſe. The King indeed was told, that to part with the Lords of Articles was to part with the brighteſt jewel in his crown. When appriſed of the warmth excited by this refuſal, he tranſmitted an additional inſtruction to the Commiſſioner, to concede to the three Eſtates of Nobles, Knights or Barons, and Burgeſſes, the choice of eleven delegates each, to be choſen monthly or oftener if they thought fit; and a clauſe was added to enable the Parliament not only to take any matters into conſideration which had been rejected in the Committee of Articles agreeably to the original inſtructions, but primarily to move and regulate the ſame. But the patriots in Parliament declared that, if the inſtitution remained, the grievance would remain with it; and they would hearken to no modification of ſo deteſtable and unconſtitutional an appointment. This Committee was of obſcure and remote origin, and was apparently intended merely to prepare and facilitate the buſineſs of Parliament without aſſuming any ſpecies of ſeparate or independent power. But they ſoon ſhewed a diſpoſition to innovate on the rights of Parliaments, and almoſt every reign added ſomething to their encroachments, till Charles I. in the Parliament held A. D. 1633, when he was in the height of his greatneſs, diveſted by his own royal and ſovereign power the reſpective Eſtates of the privilege of chooſing their reſpective Commiſſioners, and virtually conſigned the whole appointment over to eight Biſhops, nominated by himſelf or the Lord High Commiſſioner, who were to chooſe eight Noblemen, and the ſixteen were then to nominate eight Barons and eight Burgeſſes; and theſe thirty-two perſons, in conjunction with the Officers of State as ſupernumeraries, ſhould be the whole and ſole Lords of Articles excluſive of all others. And to them was *committed* the right and liberty of bringing in motions, of making overtures for redreſſing wrongs, and of propoſing means and expedients either for the relief or the ſafety and benefit of the ſubject. Neither was it lawful for any member or number of members not of the Committee to make the leaſt propoſal or motion either for the repealing of an ill law, or for the enacting of a good one*.

* Vide the celebrated tract entitled "Proceedings of the Scottiſh Parliament vindicated, &c."

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Such was the nature of the inſtitution which the wiſdom and virtue of the Scottiſh patriots aimed, not merely to meliorate or modify, but for ever to annul and abrogate. The Parliament being now, in conſequence of the diſappointment they had ſuſtained, in a very diſcontented mood, a bill was introduced to incapacitate "all perſons of whatever rank or degree from occupying any public truſt or employment, who in the former evil Government had been grievous to the Nation, by acting in the encroachments which in the Claim of Rights were declared to be contrary to law, or had ſhewed diſaffection to the late happy change, &c." To this the Lord Commiſſioner refuſed, not without good reaſon, the royal aſſent; it being evidently the effort of a faction to avenge themſelves upon their enemy, and to engroſs the whole power of the Government.

On the King's acceſſion to the Crown of Scotland, he had filled up the vacancies in the judicial department as in England, where no oppoſition to ſo obvious and neceſſary an exerciſe of the prerogative was thought of. But it was ſuggeſted by the diſaffected and diſcontented in the Parliament of Scotland, that by a vacancy in the throne all commiſſions were vacated; that, though the King by his prerogative had a right to fill ſuch partial and occaſional vacancies as might occur in the uſual courſe of things, a general nomination could only be made by the authority and concurrence of Parliament; and a bill was ordered in for that purpoſe. But this the King conſidered as an high affront; and poſitive orders were given to the Commiſſioner to reject it. Another bill was introduced for repealing the Act of Supremacy, paſſed in 1669 under the miniſtry of Lauderdale, which carried the authority of the King in matters eccleſiaſtical ſo high, that it ſeemed within the limits of his prerogative to eſtabliſh any religion that he ſaw fit in Scotland. This was ſpecified, and juſtly, in the Inſtrument of Government, as a fundamental grievance; and the King in his inſtructions had authoriſed the Lord Commiſſioner to aſſent to its repeal: but the aſſent was nevertheleſs refuſed. An act, however, paſſed early in the ſeſſion for the abolition of Epiſcopacy, and, as the act expreſſes it, the pre-eminence of any orders in the Church above that of preſbyter—and it vaguely and generally

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declared that the King and Queen's Majeſties, with the advice and conſent of Parliament, would ſettle by law that Church in the Kingdom which was moſt agreeable to the inclinations of the people: and by a ſubſequent proclamation, "all ſuch miniſters as were in poſſeſſion of the miniſtry upon the 13th day of April, were allowed to continue there undiſturbed." The pertinacity and ill humor of Parliament ſeemed to increaſe as the ſeſſion drew into length. They paſſed a reſolution, that it was illegal for the Judges nominated by the King to continue in the exerciſe of their functions; and forbade them to open their commiſſion. The Judges were on the contrary required and compelled to act by the authority of the Privy Council; and ſuch was the ferment, that it was thought neceſſary to order a number of troops into the neighborhood of Edinburgh in order to preſerve the public peace.

In the midſt of this confuſion, his Grace the Lord Commiſſioner adjourned the Parliament to the 8th of October following: but ſuch a flame did the refuſal of the Court to accede to the meaſures of the patriots excite, that, previous to the adjournment, a remonſtrance was framed in ſtrong and energetic language, repreſenting to his Majeſty the evil conſequences which muſt enſue from a refuſal "ſo contrary to his Majeſty's acceptance of the Claim of Right, and to his Declaration promiſing the redreſs of grievances." The King, ſenſibly touched with theſe reproaches, cauſed his inſtructions to his Commiſſioner to be publiſhed, by which it appeared that his Grace was authoriſed to have made greater conceſſions than he choſe to do reſpecting the points in queſtion; and it was to be inferred that the King, who had little knowledge of Scottiſh affairs, was not well pleaſed with the conduct of thoſe on whom he had placed his reliance. The ambition of ſome, and the diſguſt of others, who conceived that the King had violated his engagements, induced them to enter into dangerous cabals and intrigues with the High Epiſcopal and Jacobite party, for the reſtoration of the abdicated Monarch, who in his preſent ſituation was ſuppoſed willing to concede whatever might be demanded. At the head of theſe mal-content Whigs was Sir James Montgomery, who, being diſappointed in his views of obtaining

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the Secretaryſhip of State, with the chief management of affairs, became the moſt virulent oppoſer of the Government. Cheriſhing the ſame chimerical projects with the diſcontented Whigs in England, he formed a cloſe connection with the Earl of Monmouth, the Duke of Bolton, and other men of the ſame ſtamp—and they were ſo far actuated by the ſpirit of faction and folly, as to imagine that the national happineſs and ſafety could be permanently eſtabliſhed only by a counter-revolution—that King James, convinced of his errors, would detach himſelf entirely from the French intereſt; and that, if his reſtoration were effected by the Whigs, he would entruſt himſelf and his intereſts wholly into their hands. The particulars of this conſpiracy were diſcloſed by the brother of Montgomery to Biſhop Burnet. He affirmed that a treaty was ſettled with King James, articles agreed on, and an invitation ſubſcribed by the whole cabal.

During the receſs of Parliament, endeavors were uſed by the Court to ſoften the rage of oppoſition by an artful diſtribution of places; almoſt every conſiderable office of Government being put into commiſſion, in order to provide for as great a number as poſſible. The Great Seal was committed to the cuſtody of the Duke of Hamilton, the Earl of Argyle, and the Earl of Sutherland—the Privy Seal to the Earl of Forfar, the Earl of Kintore, and the Lord Carmichael: the Treaſury was divided among the Earl of Crawford, the Earl of Caſſilis, and the Earl of Tweeddale, the Lord Ruthven, and the Maſter of Melville; and the Clerk Regiſter's Office between the Lord Belhaven and four other perſons.

As the ſupplies granted by Parliament had been for obvious reaſons very ſcanty, it was abſolutely neceſſary either to diſband the army or ſpeedily to convene another meeting. As the leaſt of theſe evils, a ſeſſion was held in the following ſpring, April 1690; the Earl of Melville being appointed Lord High Commiſſioner. Such was the ſtrength of the different parties united in oppoſition, that, on the firſt diviſion on a trivial queſtion reſpecting a conteſted election, the majority in favor of the Court was not more than ſix or ſeven voices. Even this majority would have been loſt, if all the Jacobites who were returned had taken their ſeats in Par-

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liament, and of courſe the Oath of Allegiance; agreeably to the ſecret wiſhes and inſtructions of the Court of St. Germaine's, and to the earneſt entreatics of thoſe who had the moſt zeal and the leaſt conſcience of the party; among whom mention is particularly made of Paterſon, the deprived Archbiſhop of Glaſgow.

Although the violent Whigs and the violent Tories were equally eager to obſtruct the meaſures of Government, their views and deſigns were ſo irreconcileable that no cordial coaleſcence could long ſubſiſt. There were in fact three diſtinct parties in oppoſition—the Jacobites, headed by the Dukes of Athol and Queenſberry, the Lords Annandale, Breadalbane, Balcarras, &c.—the *diſaffected* Whigs, led by Sir James Montgomery, colleagued with the Lords Argyle, Roſs, &c.—and the diſcontented Revolutioniſts, at the head of whom was the Duke of Hamilton; who thinking his merits not ſufficiently rewarded, and aiming at the chief direction of affairs, had no farther deſign than the ruin of the Lords Melville and Stair. The Court ſaw the neceſſity, in order to diſſolve this connection, of making thoſe conceſſions which had been formerly refuſed. The Lord Commiſſioner now therefore gave the royal aſſent to the Bill for reſcinding the Act of Supremacy; to another for the direct eſtabliſhment of Preſbytery and annihilating the right of patronage; and to a third for the abolition of the Lords of Articles. By theſe deciſive meaſures, thoſe Members who were actuated by public and patriotic motives, and whoſe diſcontent had never riſen to diſaffection, were at once conciliated, a clear majority aſcertained, and the Bills of Supply voted without difficulty. It is remarkable, that Sir James Montgomery, imagining the Court would not dare to aſſent to the unreſerved eſtabliſhment of Preſbytery in Scotland, from the jealouſies it was calculated to excite in England, made a vehement and inflammatory ſpeech in Parliament, declaring that he knew there were inſtructions for ſettling religion, and he thought it a ſhame it was not done; but ſome, to flatter the Court, againſt their own principles had delayed it. He knew likewiſe ſome were for one kind of government, ſome for another; ſome were for a certain kind of preſbytery called Eraſtianiſm, like that of Holland: but he told them there

there could not and ought not to be any other eſtabliſhed in Scotland than the preſbyterian model of 1648, which was the government moſt conformable to the Word of GOD, and beſt able to control the extravagant power of Kings, under which they had groaned ſo many years." "This ſpeech," ſays Lord Balcarras in his ACCOUNT of the Affairs of SCOTLAND, "to us that knew his ſecrets ſeemed a little extraordinary; but he excuſed himſelf by being *obliged* to do ſo, otherwiſe he ſhould loſe all credit with his party; and that it ſignified nothing, ſince he knew that Lord Melville never durſt paſs it, though it came to be approved." The projects of the parties were now entirely diſconcerted, and mutual reproaches ſucceeded. "To all your friends," ſaid Lord Balcarras in the celebrated tract now quoted, and addreſſed by him to the abdicated Monarch, "it was very evident how great an advantage might be had by joining with the violent party; for by that we thought ourſelves ſure of breaking their army, which conſiſted of about 10,000 men, and which muſt immediately be diſbanded when they ſaw the Parliament eſtabliſh no fund, neither for paying their arrears nor ſubſiſtence: and all having gone in confuſion, and your Majeſty being then in Ireland, and the Highlanders in a better diſpoſition to riſe, it were eaſy to make a good uſe of their diſorders. Sir James, in the firſt meeting we had with him, laid out the great advantages your intereſt would obtain if this ſucceeded—the ſtrength of his party, and all the influence he had over them. He told us likewiſe of their ſending a meſſenger to your Majeſty, with aſſurances of their returning to their duty; but ſaid nothing of the inſtructions, commiſſions, and pernicious advices he had ſent along with them, believing undoubtedly it would have hindered us from joining with them. For by this we ſhould have clearly ſeen it was only trying to make a better bargain for themſelves that made them change parties, and not out of any ſentiments of conviction for having done amiſs."

A direct rupture however did not take place between theſe jealous and diſtruſtful friends, till the arrival of a meſſenger from the late King with a great black box of papers, directed to Sir James Montgomery. This Sir James firſt opened alone, and afterwards diſcloſed to the Lords Argyle,

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gyle, Arran, and Roſs, who agreed that various of the papers were improper to be ſeen by the other party. Sir James Montgomery therefore again cloſed and ſealed the box, and appointed a meeting at the apartments of the Marquis of Athol, at which the Marquis himſelf, and the Lords Linlithgow, Roſs, Breadalbane and Balcarras attended. At this meeting, Sir James informed the perſons preſent, that a box of papers had arrived, which he had determined not to open but in their preſence; proteſting, as Lord Balcarras in his narrative of this tranſaction affirms, in the preſence of Almighty GOD, that he was entirely ignorant of the contents. But the Lords preſent, ſtrongly ſuſpecting the integrity of Montgomery, examined the box and ſeals with the greateſt attention, and plainly perceived not only that the cord was changed, but that the ſeals themſelves were by a ſtrange inadvertency Montgomery's own impreſſion. A ſcene of the utmoſt confuſion now enſued, not merely from the detection of ſo infamous a colluſion, but from the actual inſpection of the papers; by which, notwithſtanding the withdrawment of thoſe deemed moſt obnoxious, it appeared that the King had conſented to put the whole power of the Government into the hands of the Preſbyterians. "They," ſays Lord Balcarras, "were in no leſs confuſion than we; finding we ſaw their folly in undertaking things they had not the leaſt ſhadow of power to perform. They had promiſed to get all the Parliament to declare for your Majeſty, and immediately meet in your name; and the Earl of Argyle Commiſſioner, who was made a Marquis, and Sir James made Earl of A——r, and Roſs likewiſe an Earl; and all employments of Church and State, an army entirely put into their hands and thoſe of their friends, who were generally the greateſt enemies to monarchy. There were likewiſe great bundles of letters not directed, but left to their direction, to be given to any of your friends they thought fit to truſt; which indeed we thought a little hard to be put into their hands, who had been for fighting your Majeſty, and alſo endeavoring to ruin us on your account."

All confidence being now for ever loſt, the only queſtion at iſſue between the parties ſeemed to be, which ſhould firſt impeach the other.

The Lord Roſs, after proteſting with oaths, as Lord Balcarras informs us, that he never would make any diſcovery, communicated to a fanatic miniſter at Edinburgh that he was under great *trouble of conſcience*, and deſired his prayers to enable him to open his heart to him. After long prayers and many ſighs and tears, he told him all he knew. The miniſter repeated next morning to Lord Melville the reſult of this conference, and deſired a paſſport to London for Lord Roſs; who before his departure informed Melville in general terms, that there were dangerous matters in agitation againſt the King and Government, in which he had too great a ſhare, and for which he ſought God's pardon but was denied, and was now going to ſeek it from the Queen. On his arrival in London and examination before the Lords Nottingham and Danby, being thought to prevaricate in his evidence, he was committed cloſe priſoner to the Tower. The Earls of Argyle, Annandale and Breadalbane withdrawing alſo under different pretences to England; Montgomery himſelf repaired to the Earl of Melville, and made a full diſcovery of the whole conſpiracy. The good-nature and credulity of Melville, miſtaking conſternation for contrition, furniſhed this man alſo with a paſſport to London, and a letter to the Queen in his favor. But, on his ſubſequent examinations, having, from a ſenſe of honor not to be expected from a man who had acted a part ſo treacherous, perſiſted in his refuſal to reveal the names of thoſe with whom he carried on a correſpondence in England, he failed in obtaining his pardon. After abſconding and lying concealed ſome months in London, he made his eſcape to the Continent, where his plotting genius involved him in new dangers and difficulties, till at length ſpleen and vexation put an end prematurely to a turbulent and miſerable life: and he may be regarded as one of the many ſtriking examples which hiſtory exhibits, how great is the curſe of poſſeſſing ſplendid talents, when unaccompanied by judgment and diſgraced by moral depravity. BOOK II.

The Earl of Annandale alſo threw himſelf upon the Queen's mercy, and, as he had not perſonally treated with any in England, he could make no diſcoveries to their diſadvantage. He gave however a depoſi-

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tion on oath againſt one Neville Payne, as the man who had been the chief medium of connection and correſpondence between the Engliſh and Scottiſh malcontents. Being taken in Scotland, Payne was twice put to the torture, according to the barbarous cuſtom of that country, without making any confeſſion: and it does not appear that the extent of this conſpiracy, which the Government ſhewed much ſolicitude to fathom, was ever perfectly aſcertained; though, according to the accuſtomed lenity of this reign, free pardon was granted to many who acknowledged themſelves concerned in it. Several of the Scottiſh Lords were ſet at liberty, on giving their words of honor not to diſturb the Government; but Lord Arran refuſed, ſaying, "he was certain he ſhould not keep it." Upon the whole, the ſeſſion of Parliament, which opened with ſo dark an aſpect, terminated very proſperouſly. During the ſitting, alſo, it was announced that a body of Highlanders to the number of about 2000, commanded by the Colonels Buchan and Wachop, who had rendezvouſed at Strathſpey, with a view to a deſcent into the Low Country, were ſurpriſed and defeated with great ſlaughter by the King's troops under Sir Thomas Levingſtone.—And this was the laſt military effort of any conſequence made by the party of King James in Scotland.

The power of the Church being now in the hands of the Preſbyterian Clergy; the Epiſcopalians ſuffered from the former ſufferers a perſecution as rigorous as the benign ſpirit of the new Government would permit. For, though the hiſtory of the world exhibits no characters more illuſtrious than thoſe of many individuals of the clerical order whoſe ardent and generous minds have as it were burſt the bonds of their own intellectual thraldom; no truth is more certain as a general axiom, than that prieſts of all religions are the ſame—all, collectively ſpeaking, tainted with the ſpirit of holy malignity, of lordly pride, of barbarous dogmatiſm, of relentleſs intolerance. All this is very conſiſtent with the practice of many amiable and eſtimable virtues in ſocial and domeſtic life. Such is the imbecility of human nature, and ſuch the pernicious and fatal tendency of this aſpiring and dangerous profeſſion:—"having," as has been obſerved, "what Archimedes only wanted, another world on which

which to fix their engines, no wonder they move this world at their pleasure." A General Assembly as it is styled, or Synod of the Church of Scotland, having been convened in the autumn of the present year, 1690; the proceedings of the Clergy were so disagreeable to the Court, that the Assembly was, little to their satisfaction, dissolved by an Act of State, and another convoked for the following year. In the mean time the King determined in some measure to restore the balance of the parties, by bringing some of the Tories and Episcopalians into office. The Earl of Melville, as the man most obnoxious, was removed from his post of Secretary of State, and made Lord Privy Seal. James Johnston, late Envoy to the Elector of Brandenburg, and Sir John Dalrymple, styled the Master of Stair, were constituted joint Secretaries; Lord Tweeddale, created a Marquis, a man of sense and moderation, was appointed Chancellor; the Earl of Lothian, High Commissioner; and the Earl of Crawford, President of the Council. But this motley Administration did not conduct the affairs of Government with much ability or success. The General Assembly met at the close of the year 1691; and during the recess of Parliament, the two parties were eager to try their strength in this subordinate scene of action. The Presbyterians since the late changes were grown extremely jealous of the Court. They said their friends were disgraced, and their bittereft enemies were admitted into favor. The King recommended to the Assembly, by the High Commissioner, to receive the Episcopal Clergy into the Church, and to concur in such measures as would be necessary to effect a general comprehension. The Prelatists now gave out, says Bishop Burnet, "that the King was theirs; in answer to which the Presbyterians affirmed that the Law was theirs, and they would abate in no point of their government." Both parties being much inflamed, and no likelihood of accommodation remaining, the King ordered the Assembly to be dissolved, without appointing any other time or place of meeting. But the Presbyterian Clergy, according to their high notions of Church government, affirmed, that they had a *right* to an annual meeting, from which nothing could cut them off.—They pretended that the King's power of calling Synods and Assemblies was *cumulative*, and not *privative*—that is, he might

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call them if he would, and appoint time and place; but that, if he did not convene them, they might meet by virtue of the right *inherent* in the Church:—therefore they adjourned themſelves, having firſt proteſted againſt the regal diſſolution. This appeared to the King an high ſtrain of inſolence, and a groſs invaſion of the prerogative of the Crown; and there were not wanting thoſe who were eager to embrace every opportunity of incenſing him againſt the Preſbyterians. Thus the Epiſcopal party acquired additional credit with the King; for the folly and fury of one faction operated in much the ſame manner as the actual exerciſe of wiſdom and moderation in the other.

Maſſacre of Glencoe.

At this period a very unfortunate event took place, tending to throw a great odium upon the government of the King, already ſufficiently unpopular. The Earl of Breadalbane, one of thoſe noblemen who had been concerned in the late plot and received his pardon, in order to conciliate the favor of the Court, formed a ſcheme of quieting the Highlanders, and enſuring their ſubmiſſion, by diſtributing large ſums of money among their chiefs: and 15,000l. were remitted from England for this purpoſe. By the connivance of Government he informed the Highlanders, who were not unacquainted with his zeal in the ſame cauſe, that the beſt ſervice they could do King James was to lie quiet, and to reſerve themſelves to a more favorable time; and in the mean while they were juſtified in taking the oaths, and ſharing the money he had received for the purpoſe among them. Many of the Highland chieftains were perſuaded by his arguments to a compliance; but others were obſtinate, or made ſuch extravagant demands that Lord Breadalbane found his ſcheme with regard to them impracticable. The moſt refractory of theſe rebel chieftains was M'Donald of Glencoe, between whom and Breadalbane a cauſe of private animoſity ſubſiſted, originating, as it is ſaid, from an antient feud between the families. During the courſe of hoſtilities M'Donald had plundered the lands of Breadalbane; and this nobleman inſiſted upon being indemnified for his loſſes, from M'Donald's ſhare of the money now to be diſtributed. This M'Donald not only abſolutely refuſed, but was ſucceſsfully aſſiduous in influencing

enicing others to reject the offers made to them. He alſo communicated to the Duke of Hamilton and other enemies of Lord Breadalbane the dangerous ſecret of this nobleman's being ſtill avowedly attached to the intereſts of the dethroned Monarch. Breadalbane, exaſperated at this conduct, by an act, not of ſudden paſſion, but of cool and deliberate revenge, devoted the chieftain and his clan to utter deſtruction. King William had by proclamation offered an indemnity to all the Highlanders who had been in arms againſt him, provided they would ſubmit and take the oaths by a certain day. The day had been twice or thrice prolonged; and it was at laſt carried to the cloſe of the preſent year, with a poſitive denunciation of proceeding to military execution againſt ſuch as ſhould hold out beyond the end of December 1691. All were ſo terrified that they came in; and even M'Donald himſelf, no leſs intimidated, though ſomewhat more tardy than the reſt, went to the Governor of Fort William on the laſt of December, and offered to take the oaths: but he being only a military man could not legally tender them, and M'Donald ſet out immediately for Inverary, the county town of Argyle. Though the ground was covered with ſnow, and the weather intenſely cold, he reached Inverary in a very few days, or, according to ſome accounts, within a ſingle day, after the term preſcribed by the Proclamation had elapſed. Sir Colin Campbell, Sheriff of the county, being informed of the circumſtances of the caſe, adminiſtered the oaths to him and his adherents, and they returned in peace and full confidence of ſecurity to their own habitations in the valley of Glencoe. Before this happened, the Earl of Breadalbane had repaired to London, and made his report to the King of the diligence with which he had endeavored to effect the ſervice entruſted to him, and to return that part of the money which he had not diſpoſed of. He embraced the opportunity of repreſenting M'Donald to the King as the chief perſon who had defeated the good deſign—as an incorrigible rebel—as a ruffian inured to blood and rapine, who would never be obedient to the laws of his country, nor live peaceably under any ſovereign. He obſerved, that he had paid no regard to the royal proclamation: and, at once to gratify his own revenge, and, as there is great reaſon to believe, to make the

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King odious to the Highland tribes, he propoſed that orders ſhould be ſent for a military execution on the men of Glencoe. This repreſentation was ſtrongly enforced, from cauſes which do not ſo diſtinctly appear, on the part of Secretary Stair. It is indeed ſaid, that the clan of Glencoe had diſtinguiſhed itſelf by its cruelties in the late reigns on the Conventiclers; and it is known that Dalrymple was a fierce and bigoted Preſbyterian. Of the degree of malignity which poſſeſſed his mind ſome notion may be formed from the tenor of his diſpatch to Lord Breadalbane, dated at ſo early a period as December 3, 1691, in which he ſays, "By the next I expect to hear either theſe people are come to hand, or elſe your ſcheme for *mauling* them—for it will not delay.——Menzie, Glengary and all of them have written letters, and taken pains to make it believed that all you did was for the intereſt of King James—therefore look on, and you ſhall be ſatisfied of your REVENGE." Shortly after the expiration of the term to which the Proclamation of Grace was limited, a paper of inſtructions was drawn by the Secretary, and addreſſed to Colonel Levingſtone, Commander of the forces in Scotland, ſpecifying, "that ſuch as had not taken the oaths by the time limited, ſhould be excluded the benefit of the indemnity—and that they be deſtroyed by fire and ſword"—With this expreſs mitigation nevertheleſs, in the 4th article, "that the rebels may not think themſelves deſperate, we allow you to give terms and quarters: but in this manner only; that chieftains and heritors, or leaders, be priſoners of war, their lives only ſafe, and all other things in mercy—and the community, taking the oath of allegiance, &c. are to have quarters and indemnity for their lives and fortunes; and to be protected from the ſoldiers." By an extraordinary ſingularity ſhowing very artful contrivance, this inſtrument, dated January 11, 1692, was both ſigned and counter-ſigned by the King. This order, however, not being deemed ſufficiently full and explicit, a paper of additional inſtructions was prepared by Secretary Stair, who, with the ſame wary caution, procured it to be, as before, ſuper-ſigned and counter-ſigned by the King; in which, after giving directions for receiving the ſubmiſſion of thoſe who had made application for mercy, it is in words moſt fatally memorable ſaid: "If the tribe of Glencoe can

well

well be ſeparated from the reſt, it will be a proper vindication of public juſtice to *extirpate* that ſect of thieves." Biſhop Burnet expreſsly affirms, "that the King ſigned this paper, as his cuſtom too often was, in a hurry, without examining into the import of it:" but, without laying any great ſtreſs upon this aſſertion, it may eaſily be conceived that the matter might be repreſented to him in ſuch falſe colors as to perſuade him of the neceſſity of one example of great ſeverity, to enſure the permanent peace of the country. BOOK II.

Having thus obtained the King's warrant for what Breadalbane and the Maſter of Stair appear to have pre-concerted and pre-determined, it was not long ſuffered to remain dormant. In a letter to the Commander in chief Levingſtone, dated January the 11th, 1692, the Secretary ſays: "Juſt now my Lord Argyle tells me, that Glencoe hath not taken the oath; at which I REJOICE. It is a great work of charity to be exact in rooting out that *damnable ſect*, the worſt of the Highlanders. The winter is the only ſeaſon in which we are ſure the Highlanders cannot eſcape us." In his diſpatch of the 16th of January 1692, accompanying the additional inſtructions, he writes, after ſome mention made of the royal mercy, "But, for a juſt example of vengeance, I entreat the thieving tribe of Glencoe be rooted out to purpoſe." And in his letter to Colonel Hill, Governor of Fort William, January 30, he directs, "Pray, when the thing concerning Glencoe is reſolved, let it be ſecret and ſudden. Better not meddle with them, than not to purpoſe." In another diſpatch to Levingſtone, he ſays: "I aſſure you, that your power ſhall be full enough; and I hope the ſoldiers will not trouble the Government with priſoners." The execution of this bloody commiſſion was committed to a Captain Campbell of Glenlyon, who, at the head of a corps of ſoldiers, was ſent in the month of February 1692 to take up their quarters in the valley, remaining, as it appears, fifteen days—the commander profeſſing the moſt amicable intentions; and he and his men being received with the rude but kind hoſpitality of the country. On the evening before the maſſacre, Campbell paſſed ſome hours in ſocial converſe and amuſement at M'Donald's houſe: but, certain circumſtances occaſioning ſuſpicion in the minds of

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the two ſons of M'Donald, they went out to make diſcoveries, and, to their amazement, found eight or ten ſentinels on the ſpot where only one uſed to be poſted. The diſcourſe amongſt them was, "that they liked not the work; though they would willingly have fought the men of the Glen, they held it baſe to murder them." Upon haſtening back to appriſe their father of the impending danger, they found the manſion already ſurrounded—heard the diſcharge of muſquets, and the ſhrieks and clamors of thoſe within; and, being unarmed, fled for their lives, and had the good fortune to effect their eſcape.

Ruſhing to his chamber, the aſſaſſins had ſhot through the head the elder M'Donald, who fell lifeleſs into the arms of his wife. The Laird of Auchintrinken, M'Donald's gueſt, who had ſubmittted to the Government three months before, and had then Colonel Hill's protection in his pocket, met the ſame fate. A boy of eight years of age was ſtabbed to the heart in the act of imploring mercy. In this manner 38 perſons were inhumanly butchered; moſt of them in their beds—helpleſs and unreſiſting. The order extended to all the males in the valley under the age of 70, amounting to about 200: but the parties which were to co-operate with Campbell, whether by chance, or, as is more probable, by deſign, did not arrive in time to ſecure the paſſes of the Glen, ſo that 160 eſcaped. After perpetrating this horrid deed, they ſet the houſes on fire and drove off the cattle; leaving the women and children of the Glen expoſed to the ſtorms of that inclement clime and ſeaſon, naked and forlorn, without food or ſhelter, in the midſt of the ſnow that covered the mountains on every ſide, at the diſtance of ſix miles from the neareſt habitation. And they are ſaid to have periſhed for the moſt part in the waſte before they could receive the leaſt comfort or aſſiſtance; Lady M'Donald in particular, wife of the chieftain, a woman venerable for her years and condition, expiring in a phrenſy of grief and horror *.

This

* Though Campbell, when the buſineſs in queſtion became the theme of public execration, juſtified the perpetration of this abominable act, ſaying in the Royal Coffee-houſe, Edinburgh, "that he would do it again, if it were again to be done;" yet we are told, that

This execrable deed, performed under the immediate ſanction of the King's authority, excited the amazement and indignation of all whoſe minds were ſuſceptible of the feelings of humanity. The King himſelf, moved with juſt reſentment at the impoſition practiſed upon him, diſmiſſed the Maſter of Stair from his ſervice; and cauſed a commiſſion to be paſſed under the Great Seal of Scotland for a *pre-cognition* in that matter, which is a uſual mode in that kingdom of inveſtigating crimes previous to bringing the criminals to a regular trial.—This terrible example of vengeance inflicted on the men of Glencoe effectually prevented indeed any future inſurrection, or ſeditious diſturbance; but inſpired the Highlanders with an implacable animoſity againſt the King's perſon and government.

1693. The public exigencies not rendering it neceſſary to convene the Parliament of Scotland at an earlier ſeaſon, the ſeſſion was deferred to April 1693, when the Duke of Hamilton, being reconciled to the Court, was appointed Lord Commiſſioner. By the able and dextrous management chiefly of Secretary Johnſton, the diſcontents of the nation were

that a conſciouſneſs of guilt was always viſible in his deportment; and it was ſaid of him, "Glencoe ſeems to hang about Glenlyon night and day—you may ſee it in his face."

It is curious to obſerve with what eagerneſs the execution of this atrocious project was transferred from one perſon to another. The Commander in chief Levingſtone ſent his orders to Colonel Hill, Governor of Fort William; who devolved the taſk upon Lieutenant Colonel Hamilton, who choſe to ſhift it to Major Duncanſon, who employed Captain Campbell as the immediate agent in this bloody buſineſs—ſending him his inſtructions in the following words: "You are hereby ordered to fall upon the rebels the M'Donalds of Glencoe, and put all to the ſword under ſeventy. You are to have ſpecial care that the old fox and his ſons upon no account eſcape your hands. You are to ſecure all the avenues, that no man eſcape. This you are to put into execution at five o'clock in the morning preciſely; and by that time, or very ſhortly after it, I'll ſtrive to be at you with a ſtronger party. If I do not come to you at five, you are not to tarry for me, but to fall on. This is by the King's ſpecial command, for the good and ſafety of the country, that theſe miſcreants may be cut off root and branch. See that this be put in execution without feud or favor, elſe you may expect to be treated as not true to the King and Government, nor a man fit to carry a commiſſion in the King's ſervice."

much

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much aſſuaged, and the ill humour and fourneſs of the Preſbyterian party ſomewhat ſoftened. The King's letter preſented by the Commiſſioner, on opening the Seſſion, informed the Eſtates, "that his Majeſty, ever ſince his coming to the Crown, had been firmly reſolved to hold a Parliament in that his antient kingdom—and that nothing but his neceſſary preſence abroad during the time of action, or in England during the ſitting of Parliament there, had hitherto hindered his purpoſe. —He intimated, that the calling them together while he himſelf was abſent from Britain, was to be conſidered as a proof of the entire confidence which he placed in their affection to him and his government. His Majeſty told them, that he had fully inſtructed his Commiſſioner in all things which ſeemed to him neceſſary to be done at that juncture, for the ſupport of the Government, and the ſafety of the People; reſerving what was omitted, and would admit of delay, to his own preſence amongſt them. And he was perſuaded they would heartily concur in what his Commiſſioner would propoſe to them in his name, for the common intereſt of King and People. In order to which, in a particular manner he recommended moderation and unanimity to them, eſpecially in Church matters; and that they would provide proper and healing remedies for the diſorders which thoſe matters had occaſioned."

This politic and popular ſpeech had its effect. The Parliament voted an increaſed eſtabliſhment, and large ſupplies. They determined to vacate the ſeats of thoſe Members who had not yet taken the oaths of fidelity and abjuration; and alſo impoſed fines upon them. A Committee of Security was appointed, who reported to the Houſe, that machinations were ſtill carrying on in ſupport of the late King James's intereſt; and Neville Payne was brought before Parliament, to be examined touching certain intercepted letters. But he ſent word to the Duke of Hamilton, "that as long as his life was his own he would accuſe none; but, that he was reſolved he would not die, ſince he could diſcover enough to deſerve his pardon." On conſidering the purport of this notification, the Duke and his friends thought it beſt to indulge him

him with ſo long a delay for the production of witneſſes, that the ſeſſion elapſed before the expiration of the term; and the enquiry was no farther mentioned.

The affairs of the Church were alſo conducted with more temper than could be expected. An Act of Comprehenſion was brought into the Houſe, including all ſuch of the Epiſcopal Clergy as ſubmitted to take the oaths before the 10th of July 1693. They were only required to ſubſcribe to the common confeſſion of faith, and to acknowledge Preſbytery to be the only legal Government of the Scottiſh Church; with a promiſe of ſubmiſſion thereto—with a farther indulgence, that, if they took the oaths and refuſed the declaration, they ſhould be ſuffered to retain poſſeſſion of their benefices under the immediate protection of the King—an authority, as Biſhop Burnet remarks, very like what they were wont to condemn as Eraſtianiſm—and in fact, many were ſuffered ſo to do, who did not even take the oaths previous to the time appointed by the Act. An oath of fidelity alſo, excluſive of the oath of allegiance, was impoſed upon all who held offices in Church or State, to be tendered at the diſcretion of the Council, who were empowered to fine and impriſon ſuch as ſhould refuſe. This was a meaſure of legiſlative violence and injuſtice: but the mildneſs and wiſdom of the Executive Power rendered it in fact only a law of ſalutary reſtraint. The ſeſſion came to a ſpeedy and calm concluſion, and all things ſeemed tending to a peaceable and permanent ſettlement.

Remarkable Declaration of King James.

The late DECLARATION of King James, when he fancied himſelf on the eve of reſtoration, previous to the victory of La Hogue, was ſo imperious as to give much offence even to the moſt moderate of his own partiſans. The Earl of Middleton, therefore, having obtained his releaſement from the Tower, was deputed to France in the ſpring of the preſent year (1693), to procure one of another complexion, and which, as far as words could go, gave univerſal ſatisfaction; for it made all manner of promiſes, and pardoned all manner of perſons. In this moſt gracious and inſidious of all the Declarations promulgated by him, he ſays,

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"that, being ſenſible nothing had contributed ſo much to his misfortunes as the calumnies of his enemies—and reflecting upon the calamities of his Kingdoms, he was willing to leave nothing unattempted that might reconcile his ſubjects to their duty. That though he would not enter into all the particulars of grace and goodneſs which he was willing to grant, yet he did aſſure them, they might depend upon every thing that their own repreſentatives ſhould offer to make them happy; it being his nobleſt aim to do more for the Conſtitution than the moſt renowned of his anceſtors; and in his opinion his chiefeſt intereſt to leave no umbrage for jealouſy in relation to religion, liberty, and property." This declaration gave extreme offence to the Earl of Melfort, Secretary to King James, and to the whole party who were deſirous of re-eſtabliſhing the abdicated Monarch without fettering him with terms and conditions. And the Earl of Middleton being at the head of the oppoſite or moderate party, the Court of St. Germaine's was divided into the two factions of COMPOUNDERS and NON-COMPOUNDERS; the latter of whom were far more in the favor and confidence of the King: but the former being accounted more numerous and powerful, it was deemed politic to diſmiſs the Earl of Melfort from his poſt of Secretary, and transfer the Seals to the Earl of Middleton. It is curious to obſerve, that all who came under the denomination of COMPOUNDERS were regarded by James as of the Republican party. In a memorial preſented by this Monarch to Louis XIV, November 1692, he affirms, "There are two oſtenſible parties of Proteſtants who are for him in England—the Epiſcopals and the Republicans. The firſt are againſt, the ſecond for, conceſſions. Theſe are to be ſuſpected.—Nevertheleſs," he ſays, "ALL who are of this party have not been traitors. The Earl of Middleton, who was Secretary of State when he left England, never did a falſe ſtep; General Sackville never failed in his duty; and the Earl of Shrewſbury, who was Secretary of State to the Prince of Orange, laid down that employment by his orders. Theſe are men whom he extols as equally clear-ſighted and incorruptible *."

Intrigues of the Court of St. Germaine's.

* Macpherſon's State Papers, vol. i. p. 433—40.

At

At this period, if any credit is to be given to the ſecret correſpondence kept up by the Court of St. Germaine's with their friends or pretended friends in England, diſaffection to the new Government had ariſen to an alarming height. The abdicated Monarch in his MS. Memoirs, ſo far back as the preceding year 1692, writes, "Many begin to be diſſatisfied with the Prince of Orange's government. The number of *the King's friends* increaſed daily—they propoſed ſchemes for his reſtoration—the correſpondence with CHURCHILL was kept up." We are aſſured, that the cities of Briſtol and Exeter had ſignified their loyalty to James. The Earl of Litchfield promiſed for the county and city of Oxford; the Earl of Lindſey for the county of Lincoln; Sir John Freind hoped to poſſeſs himſelf of the Tower; the Marquis of Carmarthen, Preſident of the Council, engaged for Hull. Excluſive of the Non-juring Clergy, four-fifths of thoſe who had taken the oaths were ready to join the King. The arch-traitor Sunderland wrote a letter to James, full of contrition for his paſt conduct, aſſuring him, "that an invaſion could not fail of ſucceſs, and promiſing to contribute all he could to his ſervice." Godolphin, Marlborough and Shrewſbury alſo continued their clandeſtine and illegal intercourſe with the late Sovereign.

Earl of Nottingham diſmiſſed.

The KING returned to England in the month of October 1693; and he was now prompted by various concurring motives to reſolve upon a farther change in the Adminiſtration. The unpopularity of the Earl of Nottingham had ſo far increaſed as to make the Miniſtry, of which he was conſidered as the head, collectively odious. It was therefore ſignified to him, that the King had no farther occaſion for his ſervices. And though WILLIAM was perfectly aſſured of the fidelity of that Nobleman, and by no means ignorant of the cabals of his adverſaries at the Court of St. Germaine's, he ſaw the neceſſity of again having recourſe to the Whigs. It is very remarkable, that the perſon with whom he chiefly adviſed upon this occaſion, and by whoſe counſels he was ſuppoſed to be moſt influenced, was the Earl of Sunderland; who had been for ſome time paſt riſing into high favor with the King, and who ſtood in the ſingular ſituation of being truſted by two Monarchs, both of

Earl of Sunderland in favor with the King.

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whom he had betrayed, and neither of whom would avow their communication with him. It is probable that this extraordinary man was leſs inſincere in his profeſſions of attachment to William than to James; though with him, and indeed with too many others, ſelf-intereſt was the rod which ſwallowed up the reſt. At this period he undertook the important and arduous taſk of reconciling the Monarch with the Whigs, whoſe political confidence he poſſeſſed. For, though to the Nation at large he appeared the moſt obnoxious Miniſter of the late reign, it was well known to the leaders of all parties that he was chiefly and purpoſely acceſſary to the ruin of the abdicated Monarch. Deeply verſed in the ſcience of human nature, and ſkilful beyond any man in practiſing on the weakneſſes and paſſions of men, he had made his attack in the preciſe part where he knew the King to be moſt vulnerable. Perceiving the ruling paſſion of the Monarch to be the reduction of the power of France, and that, notwithſtanding the ill ſucceſs of the war and the heavy burdens it brought on the country, he was ſtill eager in the proſecution of it; this nobleman determined to diſplay ſtill more ardor, if poſſible, in the purſuit of the ſame object. In order to attain his grand purpoſe, viz. the reinſtatement of himſelf in power, he ſaw clearly the neceſſity of declaring openly and decidedly in favor of the Whigs, who were beyond compariſon more eager and zealous than the Tories in their ſupport of the war, and more vehement in their dread and deteſtation of the Gallic power.

Death of the Marquis of Halifax.

The Marquis of Halifax alſo attempted at this critical juncture, though with inferior addreſs and far leſs ſucceſs than Sunderland, to retrieve his credit with the Whig party by his eagerneſs and ardor in the ſame cauſe; in defence of which he publiſhed a political tract, in which he affirmed it "to be of the laſt conſequence to every true Engliſhman that the preſent war ſhould be carried on for the preſervation of our liberties and religion, againſt the common enemy of both; notwithſtanding the falſe and fooliſh inſinuation of ſome diſcontented *Jacobites*, that a peace with France is more neceſſary than a war, and that it is more carried on for the ſake of others than ourſelves." Perceiving

ceiving himſelf ſhunned, neglected, and deſpiſed, this nobleman ſoon after terminated a reſtleſs and eventful life in a ſtate of political chagrin ſtrangely blended with religious contrition; and he died, as Biſhop Burnet, who attended him, had the charity to hope, "a better man than he lived." He poſſeſſed an exquiſite talent for keen and ſarcaſtic raillery; and was one of thoſe Stateſmen who had rather be admired for ſaying a witty thing, than approved for doing a wiſe one. He had by turns been the idol of both parties; but lived to ſee himſelf the contempt of both.—So much were his fine talents obſcured and diſgraced by his want of ſteadineſs, conſiſtency and principle.

Whigs regain their aſcendency.

The Tories who remained in office did not tamely acquieſce in the meaſures of their antagoniſts, or yield up their ſuperiority without a ſtruggle. Lord Godolphin, retaining his place at the head of the Treaſury, preſented to the King at this period an admirable letter or memorial, in which, after ſtating the principal difficulties of continuing the war, he repreſented the great and manifold advantages which would attend the concluſion of a ſpeedy peace, in very forcible terms. "I preſume," ſays the Memorialiſt in concluſion, "to ſay, that, the war being ended, a new Parliament called, and ſuch meaſures purſued (i. e. ſuch meaſures as would tend to raiſe the Government above a dependency upon either faction for ſupport), your Majeſty would quickly find that the Jacobites would turn moderate churchmen and loyal ſubjects, and the Whigs much more obſequious courtiers and eaſier ſervants than they now are." But the counſel of Sunderland was far more acceptable to the King, than that of Godolphin; and a reſolution was taken to engage the moſt popular leaders of the Whig party in the Adminiſtration. Admiral Ruſſel was reſtored to the command of the fleet, and in a ſhort time placed at the head of the Board of Admiralty; and the commiſſions of Lieutenancy, &c. throughout the kingdom were altered in favor of the Whigs. The tender of the Seals to the Earl of Shrewſbury was attended with very ſingular and curious circumſtances. Captain Lloyd, in his ſubſequent report to the Court of St. Germaine's, ſays, "I went to wait on the Counteſs of Shrewſbury: ſhe told me how her ſon the Earl had been *obliged* to accept of an employment. The Prince of Orange

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had ſent for him to offer him the poſt of Secretary of State, which he refuſed on account of his bad health. But the Prince of Orange ſhewed him that he had a very different reaſon, by repeating to him a diſcourſe which he had held about your Majeſty. This ſurpriſed the Earl of Shrewſbury much, and convinced him of the danger of refuſing the employment. He demanded ſome time to go to the country on preſſing buſineſs; and, on his return, was, to his great regret, *obliged* to accept of the Seals." It is traditionally reported, that the King ſent a Colonel of the Guards to the Earl with the ſeals of office in one hand, and a warrant of commitment to the Tower in the other. It may eaſily be ſuppoſed that he did not long heſitate which of theſe to accept.

Pacific advances of France rejected.

Notwithſtanding the ſeries of triumphs which had hitherto almoſt invariably attended the arms of the King of France, that Monarch was anxious for the return of peace; and this he ſcrupled not repeatedly to expreſs. He was fully ſenſible that an inſurmountable barrier was raiſed againſt any farther permanent acquiſition of power. In conſequence of the exertions made by France in the courſe of this arduous conteſt, the reſources of the kingdom were exhauſted, and from a ſucceſſion of unfavorable ſeaſons the harveſts of that country had proved extremely deficient: ſo that, while the external appearance of things dazzled the eye with the falſe and artificial glare of magnificence, the interior exhibited a deplorable ſcene of miſery and wretchedneſs. In the courſe of the preſent winter, the King of France was from theſe motives induced to make a very equitable and reaſonable propoſal for the accommodation of differences, through the reſpectable mediation of the Court of Denmark; purporting in ſubſtance the reſtitution of the conqueſts he had made during the war, the renunciation of his pretenſions to the Low Countries in the event of the death of the King of Spain, and the re-eſtabliſhment of the former treaties of commerce. In the memorial preſented by the Daniſh Ambaſſador on this occaſion to the Court of London, December 1693, he with dignity and propriety ſtates, "that the deſolation this preſent war has carried into moſt parts of Europe, together with the duty incumbent upon a chriſtian King, oblige the King his maſter to impart to his Britannic Majeſty thoſe propoſals of peace which the Moſt Chriſtian King has

has communicated to him—that otherwiſe the King his maſter might have reaſon to decline his offices towards the peace of Europe, and taking upon him ſo important a negotiation, ſince the advances he has already made, as well as the King of Sweden, have not only proved ineffectual, but likewiſe have been ſo miſconſtrued as to render them ſuſpected." Of the terms thus fairly and honorably tendered, the Tory Miniſters were juſtly ſuppoſed to have ſignified to the King their entire approbation. But the meaſures of the Court were decided; and the King had already announced in his ſpeech to Parliament, November 7, 1693, "the neceſſity of *increaſing* the national forces both by ſea and land, the next year, as eſſential to the honor and ſecurity of the Kingdom—informing them that the Continental powers had on their part reſolved upon making proportionable additions, and demanding a ſupply equal to the preſent exigency." The Houſe of Commons, highly gratified with the late changes, voted unanimouſly "that they would ſupport their Majeſties and the Government, and grant a ſufficient ſupply for the vigorous proſecution of the war."

Royal aſſent refuſed to the Place Bill.

The Bill for rendering all Members of the Houſe of Commons incapable of places of truſt and profit, which had been brought in laſt ſeſſion under the title of a Bill touching Free and Impartial Proceedings in Parliament, and rejected by the Lords, now paſſed with an high hand through both Houſes—but when preſented to the King, with the Land-tax and other Bills, the Royal aſſent was refuſed, to the great aſtoniſhment and indignation of the Commons, who immediately came to a vote, "that whoever adviſed the King not to give the royal aſſent to the bill in queſtion, was an enemy to their Majeſties and the Kingdom." And an Addreſs was unanimouſly agreed to, repreſenting the grief of the Commons, that a meaſure which tended ſo much to the clearing the reputation of the Houſe ſhould be rejected by his Majeſty after their great exertions for the public ſervice. "We humbly beſeech your Majeſty," ſays this high-ſpirited and patriotic Houſe of Commons, "to believe that none can have ſo great a concern and intereſt in the proſperity and happineſs of your Majeſty and Government as your two Houſes

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Houſes of Parliament; and do therefore humbly pray, that for the future you would be graciouſly pleaſed to hearken to the advice of your Parliament, and not to the ſecret advices of particular perſons, who may have private intereſts of their own ſeparate from the true intereſt of your Majeſty and your People." The King's anſwer expreſſed his high eſteem for the Conſtitution, and the great regard he ſhould ever pay to the advice of Parliament—aſſuring them "that he ſhould conſider all ſuch perſons as his enemies who ſhould adviſe any thing that might leſſen it." This was ſo evaſive, that a motion was made to addreſs the King for a farther and more explicit anſwer; but, on a diviſion, over-ruled by a great majority.

In the courſe of a tedious enquiry into the naval miſcarriages of the laſt year, Lord Falkland, who had for ſome time paſt occupied the high ſtation of Firſt Lord of the Admiralty, fell under parliamentary diſpleaſure. The Admirals were exculpated; and Ruſſel, after a ſhort interval, and with unuſual powers, placed at the head of the Board. But the Earl of Nottingham ſilenced, though unable to diſarm, the malice of his enemies, by the cleareſt and moſt ſatisfactory vindication of his own conduct.

Bank of England eſtabliſhed.

This ſeſſion of Parliament was rendered memorable by the eſtabliſhment of a National Bank, under the denomination of the Bank of England; the original capital ſtock of which, amounting to 1,500,000l. was ſubſcribed in ten days. This proved a very ſenſible relief to Government in matters of pecuniary concern, and raiſed ſurpriſingly the value of Exchequer Bills, Tallies, and other Government ſecurities, which had ſuffered under a great depreciation. The Act however did not paſs without animadverſion. Some prophetic politicians intimated their apprehenſions, "that an inſtitution of this kind would ſoon become a mere creature of the Government—that care would be taken to give it none but Government operations—that on any ſudden emergency, or even general panic, the Bank might find itſelf unable to anſwer the demands of its creditors, and that the failure of a National Bank muſt be attended with National ruin—that ſuch an inſtitution under the influence of the Executive

Executive Government, would throw more real power into its hands, and add more facility to the projects of arbitrary and despotic Ministers, not to say Monarchs, than the erection of a citadel:—that the shutting up the Exchequer in the last reign but one, after the Bankers had been induced to deposit the money there, was alone sufficient to manifest the danger of trusting any mighty mass of wealth within the reach of power:—and in fine, that from the time this new wheel was added to the machine of Government, all its motions would be mysterious and unintelligible; and a very little cunning might serve to destroy what all the wisdom and virtue of the Nation could never restore."

Affairs of the East India Company.

As no decisive measure had been resolved on during the last session to the prejudice of the East India Company, the proprietors flattered themselves that they had the best of the contest. And they had in consequence made application to Government for a new charter, to enable them to take in additional subscriptions to the amount of 756,000 l. which was necessary to raise the aggregate of their capital to one million and a half, which had by a vote of the House of Commons been declared necessary for carrying on the trade; and had actually obtained an Order of Council to the Attorney General for preparing one with such additional regulations as were previously agreed upon. But on the other hand, the antagonists of the Company had preferred their petition to Government, praying, as before, "for the establishment of a NEW COMPANY by a new, free, and national subscription; and declaring that the addition of new subscriptions to the *imaginary stock* of the Company then subsisting would expose the new stock to the debts of the old; whereby the said new stock might be swallowed up, and the whole trade endangered." An application for a new charter was indeed become absolutely necessary on the part of the old proprietors, in consequence of their own egregious indiscretion. For, a bill being introduced for taxing the joint stocks of the several public Companies, and the capital of the East India Company being valued at 744,000 l. it was urged in plea of abatement, that, were their debts paid, their stock would be worth little or nothing. The bill nevertheless passed, with a severe clause of forfeiture of charter

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in caſe of default of payment. Default being made, the charter became legally void, and the antagoniſts of the Company maintained, that, being voided by Act of Parliament, it could only be reſtored by Act of Parliament. After a violent conteſt, and repeated hearings before the Privy Council, a warrant was at length prepared by an Order of Council for her Majeſty's ſignature in order to the paſſing the charter in queſtion, and the Great Seal was affixed to the ſame by the Lord Keeper Somers, on the 7th of October 1693. A petition was, however, preſented to the Houſe of Commons by the indefatigable and perſevering antagoniſts of the Company, on the meeting of Parliament, containing allegations both againſt the legality and expediency of the new charter: and after vehement debates, in which the friends and foes of the Company exerted themſelves with alternate ſucceſs, a reſolution of the Houſe paſſed, amounting to a virtual ſubverſion of the charter, by declaring "that all the ſubjects of England had an equal right to trade to the Eaſt Indies, unleſs prohibited by Act of Parliament." But no cenſure was paſſed either on the ſeveral charters granted to the Company, or the manner of obtaining them:—nor was any project adopted for regulating the trade by authority of Parliament for the future.

State of Ireland.

Ever ſince the reduction of Ireland, almoſt every gale that blew had been freighted with the groans of the miſerable inhabitants. The adminiſtration of Coningſby and Porter had been rendered odious by ſuch a ſeries of frauds and oppreſſions, as would have diſgraced the government of a Turkiſh Pacha. So powerful neverthelefs was their intereſt at Court, and with ſuch plauſibility did they urge the never-failing pretence of *neceſſity*, "the tyrant's plea for deviliſh deeds," in extenuation of their meaſures, that a pardon was ordered to paſs the Seals in their favor. But this was arreſted in its progreſs by the repreſentations of Lord Bellamont, and James Hamilton, Eſq. at the Council Board, who alſo petitioned the Queen that all proceedings might be ſuſpended till the ſaid petitioners and many others of their Majeſties' liege ſubjects of Ireland had produced their proofs againſt them. Coningſby and Porter on this thought proper to wave their privilege of a pardon. And at the enſuing meeting

The Lords Juſtices Coningſby & Porter impeached.

of

of Parliament, Bellamont, who was himſelf a member of the Houſe of Commons, exhibited regular Articles of Impeachment againſt them, accuſing the Lords Juſtices of "traitorouſly abuſing the power and authority with which they had been inveſted, &c." And a ſolemn hearing being appointed, and vouchers for each article produced; the Houſe ſeemed greatly impreſſed, and its indignation ſtrongly excited by the enormity of the offences proved againſt them. Nevertheleſs, a reſolution ultimately paſſed, "that, *conſidering the ſtate of Ireland at the time*, they did not think fit to ground an impeachment upon them." This weak and guilty vote was followed by the diſmiſſion of Bellamont, and the pardon of the delinquents.

If, however, the Houſe was in this inſtance too lax in its *morality*, they made what bigotry and ſuperſtition would doubtleſs deem an ample compenſation in their extravagant diſplay of zeal for *religion*, by condemning to be burnt, nearly at the ſame time, by the hands of the common hangman, a certain Socinian pamphlet called "A Dialogue concerning the Deity,"—or, "A brief Confutation of the Doctrine of the Trinity;" ordering a proſecution of the author, printer, and publiſher: thus deciding without knowledge, offering violence in oppoſition to argument, ſetting up for judges of abſtract truth, arrogating to themſelves a papal juriſdiction, and exerciſing an authority foreign to the very nature of civil government, whoſe object it is to protect men in the enjoyment of their juſt rights; of which the free and unreſtrained inveſtigation of truth is one of the moſt ſacred and important.

Mr. Montague conſtituted Chancellor of the Exchequer.

The ſeſſion terminated April 25th, 1694, immediately after which a grand promotion, civil and military, took place. The Earls of Shrewſbury, Bedford, and Devonſhire were created Dukes; alſo the Earl of Clare, and the Marquis of Carmarthen, under the new deſignations of Newcaſtle and Leeds. The Earl of Mulgrave was made Marquis of Normanby, with a penſion of 3000 l. per annum. Lord Sydney was appointed Maſter of the Ordnance, declared Warden of the Cinque Ports, and created Earl of Romney. Mr. Montague, a man of riſing talents, and zealouſly attached

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to the Whig party, was conſtituted Chancellor of the Exchequer. Two patents of Peerage were at once conferred on Lord Charles Butler, brother to the Duke of Ormond, by the ſtyle and titles of Lord Butler of Weſton in England, and Earl of Arran in Ireland. And the Duke of Hamilton dying at this period, the blue ribband worn by him was tranſmitted to the Duke of Shrewſbury.

Campaign in Flanders, &c.

Early in May 1694, the King embarked for the Continent; and, after paſſing a few weeks at the Hague and Loo, took upon him the command of the Allied Army, which was ordered to rendezvous at Louvaine. Here he was met by the brother-Electors of Bavaria and Cologne; the latter of whom had recently, in oppoſition to the utmoſt efforts of the French Court, on the demiſe of Prince Clement of Bavaria been choſen Biſhop of Liege. The army of the Confederates, when completely aſſembled, did not amount to leſs than 90,000 men, excellently trained, and amply provided. The French, who were inferior in number, but confident in the abilities of their commander M. Luxemburg, had orders to act on the defenſive. The two armies employed ſeveral weeks in marches and countermarches; till at length Marechal Luxemburg, croſſing the Maeſe, made a movement with his whole army on the ſide of Liege and Maeſtricht. The King, knowing how well thoſe places were provided for defence, immediately ordered a grand detachment under the Elector of Bavaria to march with all expedition and paſs the Scheld at Oudenarde and Pont d'Eſperries, taking poſt on the other ſide in order to facilitate the paſſage of the whole army over that river, with a view to penetrate into French Flanders. This was generally allowed to be a very judicious and maſterly movement; and had Marechal Luxemburg poſſeſſed only ordinary talents, it would probably have been attended with deciſive ſucceſs. But the Marechal was no ſooner apprized of the route which the Confederates had taken, than he detached a numerous corps of his beſt horſe, with each a foot-ſoldier behind him, to reinforce M. de Valette, who had the command of the French lines at Pont d'Eſperries; ordering M. de Villeroy, accompanied by the Dauphin with the cavalry and houſehold troops, to follow with all poſſible expedition. After a prodigious

prodigious march of ſeventeen hours without halting, the Marechal formed a junction with M. de Valette on the banks of the Scheld: and when the Elector of Bavaria, who had alſo advanced with no ordinary degree of haſte, arrived at the deſtined ſpot, he perceived to his utter aſtoniſhment the French troops entrenching themſelves on the oppoſite ſide of the river. The King himſelf, ſoon after joining the Elector in perſon, reconnoitred the poſition of the enemy, and adjudged an attack impracticable. In the ſequel, M. de Luxemburg poſted his army between Courtray and Menin, in ſo maſterly a manner that no impreſſion could be made on the French frontier on that ſide; and the grand object of the campaign on the part of the Confederates was wholly fruſtrated. The ſervice thus performed by Marechal Luxemburg was deemed ſo great, that the King of France wrote a letter with his own hand to the Marechal acknowledging, "that to the unparalleled zeal and diligence of the commander in chief, and to the officers and ſoldiers ſerving under him, he ſtood obliged for the preſervation of the frontiers on that ſide." And by his Majeſty's expreſs command this letter was read to every corps from the right to the left of the army.

As the French army was now totally withdrawn from the vicinity of the Maeſe, the King of England, in order to make ſome advantage of his ſuperiority, detached a body of troops, to be joined by other detachments drawn from the garriſons of Liege and Maeſtricht, to inveſt the town and caſtle of Huy, which ſurrendered after ſuch reſiſtance as could be made; and about the middle of October (1694) the armies ſeparated and went into winter quarters.

The Prince of Baden, who had paſſed two months of the preceding winter in England, and had concerted meaſures with the King for an active campaign, now commanded on the Rhine. In June (1694), Marechal de Lorges paſſed the Rhine at Philipſburg, in order to force the Allies to a battle before the army was completely formed. The Prince, having intelligence of his motions, poſſeſſed himſelf of a ſtrong camp near Sintzheim, which the French General would not venture to attack:

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attack: and the Prince, being at length joined by the Saxons, &c. not only compelled the Marechal to repaſs the Rhine, but, following him into Alſace, laid the whole country under contribution. At the approach of winter he retreated, not without ſome loſs, into Germany, without any deciſive advantage being gained on either ſide.

In Hungary the war continued with an uninterrupted flow of ſucceſs, though not great or rapid, on the part of the Emperor: and this year the fortreſs of Giulia ſurrendered after a long ſiege to the Imperial army under General Caprara—Temeſwar alone now remaining in poſſeſſion of the Turks, of all the towns and fortreſſes to the north of the Danube.

The principal ſcene of action this year was Spain. So early as the month of May, the Marechal Duc de Noailles had forced the Spaniſh lines on the banks of the river Ter, and gained a complete victory; amongſt the immediate fruits of which was the reduction of the towns of Palamos, Gironne, Oſtalric, and Caſtel Foletto: and having been inveſted by his Moſt Chriſtian Majeſty with the dignity of Viceroy of Catalonia, he menaced the city of Barcelona with an immediate ſiege. His pompous title proved, however, to be ſomewhat prematurely conferred; for, on the arrival of Admiral Ruſſel with the combined ſquadrons of Engliſh and Dutch, M. de Tourville, who was to have co-operated with Noailles in an attempt upon the city of Barcelona, retired into Toulon; and the Marechal was, to his great chagrin, compelled to abandon his enterpriſe.

The campaign in Italy terminated without ſiege or battle; and the inactivity of the Duke of Savoy was with reaſon ſuppoſed to originate in a clandeſtine negotiation which he had for ſome time paſt been carrying on with the Court of Verſailles.

Adm. Wheeler ſhipwrecked.

The maritime operations of the year were upon the whole far from fortunate. Admiral Wheeler had been detached with a ſtrong ſquadron to the Streights to convoy the Mediterranean and Levant trade, and to

cruize off Cadiz till the arrival of the Spaniſh flota. Having ſucceſsfully performed theſe commiſſions, it was his evil deſtiny, in the month of February 1694, to encounter off the Rock of Gibraltar one of the moſt violent tempeſts known in the memory of man. It began on the 17th, and continued with little or no remiſſion to the 19th; in which dreadful interval Admiral Wheeler himſelf in the Suſſex man of war, and two other line of battle ſhips, were totally loſt; beſides three of an inferior rate, and an incredible number of traders and coaſting veſſels.

Diſaſtrous attempt on Breſt.

A ſtill greater diſaſter occurred in the failure of a grand expedition againſt Breſt, reſpecting which the Nation had formed the moſt ſanguine expectation; nor, on the other hand, had any project framed by England during the preſent war occaſioned ſo much alarm and apprehenſion to the Court of France. In the beginning of June, a fleet of about thirty ſhips of the line, Engliſh and Dutch, commanded by Lord Berkeley, having on board 6000 land forces under General Tollemache, an officer of approved courage and reputation, ſailed from St. Helen's, and came to anchor between Camaret and Bertheaume bays, lying on each ſide the entrance into Breſt water, on the evening of the 7th. The defence of this important place had been committed to the famous M. Vauban, who, previous to the arrival of the Engliſh armament, had written to the King of France, "that his Majeſty needed to be under no apprehenſion; that he had made all the ſubterraneous paſſages under the caſtle bomb proof; that he had placed 90 mortars and 300 pieces of cannon in proper places; that all the ſhips were out of the reach of the enemy's bombs, and all the troops in good order; that there were 300 bombardiers in the place, 300 gentlemen, 4000 men regular troops, and a regiment of dragoons juſt arrived."

After a bold but ineffectual endeavor to ſilence the caſtle and forts which guarded the entrance into the harbor, General Tollemache made a deſperate attempt, to effect a landing with the troops in a ſmall bay flanked to the right and left with cannon and entrenchments within half-

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half-muſket ſhot of the water. No ſooner had they gained the ſhore, but they were received ſo warmly by the French as to compel them to a precipitate and diſorderly retreat to the boats; and it being now tide of ebb, they could not clear themſelves from the ooze in which they were bedded; and the greater part of the troops which had landed were either miſerably ſlaughtered, or obliged to beg for quarter. General Tollemache, after diſplaying heroic valor, received a wound which proved mortal; and the whole armament returned immediately to England, perceiving with ſenſible chagrin that they had engaged in an enterpriſe above their ſtrength. General Tollemache, who ſurvived ſome days, declared, "that he felt no regret at loſing his life in the performance of his duty, but that it was a great grief to him to have been betrayed." From whatever evidence he might form this concluſion, certain it is that his belief of treachery was but too well founded. On the 3d of May preceding, the Earl of Marlborough had tranſmitted through the hands of Colonel Sackville a letter to King James, communicating the whole deſign of this expedition, which the Colonel in his diſpatch to the Earl of Melfort, then occupying no oſtenſible office at the Court of St. Germaine's, deſired for the love of GOD might be kept a ſecret even from Lord Middleton." "It is only to-day," Lord Marlborough declares, "I have learned the news I now write you; which is, that the bomb-ketches, and the twelve regiments encamped at Portſmouth, with the two regiments of marines, all commanded by Tollemache, are deſtined for burning the harbor of Breſt, and deſtroying all the men of war which are there. This will be a great advantage to England; but no conſideration can prevent, or ever ſhall prevent me from informing you of all that I believe to be for your ſervice: therefore, you may make your own uſe of this intelligence, which you may depend upon being exactly true. But I muſt conjure you, for your own intereſt, to let no one know but the Queen and the bearer of this letter.——I have endeavored to learn this ſome time ago from Admiral Ruſſel; but he *always* denied it to me, though I am very ſure that he knew the deſign for more than ſix weeks. This gives me a bad ſign of this man's intentions.

tions. I ſhall be very well pleaſed to learn that this letter comes ſafe to your hands*."

In order to remove the public depreſſion occaſioned by this diſaſter, Lord Berkeley had orders to ſtretch over to the coaſt of France, and uſe every means in his power, conſiſtent with the laws of war, for the annoyance of the enemy. Agreeably to his inſtructions, therefore, he ſailed firſt to Dieppe, and threw a prodigious number of bombs and carcaſes into the place, ſo that the town was in a manner ruined and deſtroyed. From Dieppe the fleet directed its courſe towards Havre-de-Grace, which met with nearly the ſame fate. They then attempted Dunkirk and Calais; but the whole country being by this time alarmed, and prepared for defence, theſe attacks were attended with very imperfect ſucceſs. A general conſternation however was excited, and ſome retaliation made for the horrid exceſſes committed by the French on the banks of the Rhine; which indeed was the only juſtifiable motive that could be aſſigned for ſo barbarous a mode of waging war.

The honor of the Britiſh flag was much more effectually maintained during this ſummer by Admiral Ruſſel, who rode triumphant in the Mediterranean: and, after relieving Barcelona, and driving the French fleet into their ports, he received orders from England to winter with his whole fleet at Cadiz. On the appearance of this vaſt armament, conſiſting of 60 ſhips of the line, in the Mediterranean, the Italian Powers of Venice and Tuſcany thought proper to acknowledge the title of the King, which they had hitherto evaded: and the Duke of Savoy in all probability was prevented from concluding a ſeparate treaty with France.

Seſſion of Parliament.

On the 9th of November 1694 the King landed at Margate, and was met by the Queen at Rocheſter. Their progreſs to the metropolis was every where attended with loud acclamations. On the 12th, the ſeſſion of Parliament was opened; and the King in his ſpeech congratulated the Houſe on the favorable poſture of affairs by ſea and land; and

* Macpherſon's State Papers, vol. i. p. 487.

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earneſtly recommended to the Commons to provide ſuch ſupplies as might enable him to proſecute the war with vigor. Loyal addreſſes were returned, and ſupplies to the amount of five millions, at that time conſidered as an immenſe ſum, readily granted. But with the Supply Bills, the Bill for the frequent meeting and calling of Parliaments kept pace. It was prepared by order of the Commons, and brought in by Mr. Harley, a Member of the Houſe, now riſing to great parliamentary eminence, on the 22d of November, and, in a few days paſſing the Houſe, was ſent up to the Lords, who gave it their concurrence without any amendment; four days after which, December the 22d, the King, ſenſible of the impropriety of longer reſiſting the national will on this favorite point, gave it the royal aſſent. It enacted, that a new Parliament ſhould be called every third year, and that the preſent Parliament ſhould be diſſolved before the 25th of March 1696. This act was received by the Nation with great joy, as the moſt ſatisfactory ſecurity ever yet obtained for the perpetuation of their rights and liberties. But unhappily, in the earneſtneſs of their zeal for the acquiſition of one great conſtitutional point, they entirely overlooked another; and it was not conſidered that the purity and equality of the national repreſentation were of no leſs importance than the term of its duration—an overſight which the ſucceeding generations have had reaſon bitterly to lament, and which the moſt ſtrenuous efforts of patriotiſm have not yet been able to repair.

Triennial Act paſſed.

Death of Archbiſhop Tillotſon:

At this period the Church of England ſuſtained a great loſs, in the ſudden death of its Metropolitan, Archbiſhop Tillotſon, a prelate, who in a very difficult and critical ſituation had conducted himſelf with great wiſdom, temper and moderation. He had a clear head, with a tender and compaſſionate heart; and, like his celebrated predeceſſor Cranmer, was a faithful and zealous friend, but a gentle, generous, and placable adverſary. He was ſucceeded in his high office by Dr. Tenniſon Biſhop of Lincoln, a man highly reſpectable for underſtanding, piety and candor.

and of Sancroft.

Sancroft, the deprived Metropolitan, had died ſome months before Tillotſon—greater in his village retirement of Scarding, than on his archiepiſcopal

archiepiſcopal throne, which he appeared in the times in which he lived but ill qualified to fill. Though he could never conſcientiouſly take the oaths to the new Government, he diſcovered nothing of a factious or ſeditious ſpirit, and abſtained from whatever had a tendency to violate the public peace. In a conference which during his laſt illneſs we are told he held with one of his conforming chaplains, it ſeems evident that he died in charity with all men. "You and I," ſaid the dying prelate, "have gone different ways in theſe late affairs; but I truſt heaven's gates are wide enough to receive us both. What I have done, I have done in the integrity of my heart—indeed in the great integrity of my heart."

Illneſs and death of the Queen.

But the Nation was deſtined at this period to feel another and yet heavier loſs. In December the Queen was attacked with what appeared a tranſient indiſpoſition, from which ſhe ſoon in a great degree recovered. But the diſorder returning with more ſerious ſymptoms, the phyſicians of the houſehold were called in, who pronounced it to be the meaſles; and very improper remedies were applied, for it was ſoon aſcertained to be the ſmall-pox of the confluent and moſt malignant ſort. She probably thought herſelf in danger from the firſt, as in an early ſtage of the illneſs ſhe ſhut herſelf up in her cloſet for many hours, and, burning many papers, put the reſt in order. The new Archbiſhop attended her; and when no hope of recovery remained, he, with the King's approbation, communicated to her the true ſtate of her condition. She received the intelligence with the moſt perfect compoſure, and ſaid, "ſhe thanked God ſhe had always carried this in her mind, that nothing was to be left till the laſt hour—ſhe had nothing then to do but to look up to God and ſubmit to his will;" and continued to the laſt uniformly calm and reſigned. She gave orders to look carefully for a ſmall eſcritoire, to be delivered to the King. The day before ſhe died ſhe received the ſacrament—all the Biſhops who were attending being admitted to receive it with her; after which ſhe had her laſt interview with the King, to whom ſhe addreſſed a few broken ſentences imperfectly underſtood. Cordials were adminiſtered, but in vain. She lay ſilent for ſome hours, and from a few words which then dropped from her lips it was perceived that her thoughts

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were wandering. In concluſion, ſhe died on the 28th of December 1694, about one in the morning, in the thirty-third year of her age and ſixth of her reign. She was buried at Weſtminſter with unuſual honors, both Houſes of Parliament aſſiſting at the ſolemnity; and her memory was conſecrated by the tears of the Nation. All diſtinctions of party ſeemed for a moment to be forgotten and abſorbed in one general ſentiment of affectionate and grateful admiration*. The King was juſtly inconſolable for her loſs. During her illneſs he had given way to the moſt paſſionate burſts of grief: and after her death he ſeemed for many weeks and months plunged into the deepeſt melancholy. The neceſſity of attending to the great affairs of Government at length rouſed him in ſome meaſure from his lethargy; and he gradually recovered his compoſure of mind: but to the laſt moment of his life he retained the fondeſt and tendereſt affection for her memory.

Princeſs of Denmark reconciled to the King.

The miſunderſtanding between the King and Queen and the Prince and Princeſs of Denmark had ariſen to a great height; but during the illneſs of the Queen the Princeſs had requeſted to be permitted to viſit her. This was civilly declined, the phyſicians deeming it not adviſable; but a forgiving meſſage was ſent by the Queen to the Princeſs, and after her deceaſe a reconciliation was effected between the King and the Princeſs, through the ſole intervention of the Earl of Sunderland†. By his advice a letter of reſpectful condolence was written to his Majeſty by the Princeſs, who was again received at Court, and treated with great demonſtrations of regard‡. The King appropriated the palace of St. James's

* Yet ſuch is the tendency of faction to debaſe and brutalize the mind, that a certain non-juring clergyman was capable of inſulting the memory of this accompliſhed princeſs, by preaching, on the occaſion of her funeral, on the following remarkable text: "Go now ſee this accurſed woman and bury her, for ſhe is a king's daughter."

† Vide Ducheſs of Marlborough's Account.

‡ The letter was expreſſed in the following handſome terms: "Sir, I beg your Majeſty's favorable acceptance of my ſincere and hearty ſorrow for your great affliction in the loſs of the Queen; and I do aſſure your Majeſty I am as ſenſibly touched with this ſad misfortune as if I had never been ſo unhappy as to have fallen into her diſpleaſure. It is my earneſt deſire

James's for her reſidence, and preſented her with the greater part of the Queen's jewels—but a mutual jealouſy and diſlike ſubſiſted under theſe exteriors of friendſhip and eſteem.

On the demiſe of the Queen, a very perplexing queſtion of law was ſtarted in the Upper Houſe by the Lords Rocheſter and Nottingham, the chiefs of the Tory party, who inſiſted that the Parliament was diſſolved in conſequence of that event, the writs being iſſued in the joint names of the King and Queen. The Earl of Portland with indignation replied, "that this was a matter not fit to be mentioned, and much leſs debated"—in which ſentiment the Houſe ſeemed unanimouſly to concur; and the People at large, being ſatisfied with the proviſion made by the Triennial Act for a ſpeedy diſſolution, diſapproved the unſeaſonable ſuggeſtion of

deſire your Majeſty would give me leave to wait upon you as ſoon as it can be without inconvenience to you, and without danger of increaſing your affliction, that I may have an opportunity myſelf, not only of repeating this, but of aſſuring your Majeſty of my real intention to omit no occaſion of giving you conſtant proofs of my ſincere reſpect and concern for your perſon and intereſt, as becomes, SIR, your Majeſty's moſt affectionate ſiſter and ſervant, ANNE." What appears moſt extraordinary in this reconciliation is, that Lord Sunderland ſhould have had the addreſs to acquire for himſelf the merit of accompliſhing it. By what arts of inſinuation he ingratiated himſelf into the confidence of the Princeſs, we are not informed; but certain it is, that ſhe had at a former period expreſſed herſelf in very vehement and indignant terms reſpecting him.—In a letter addreſſed to her ſiſter, the Princeſs of Orange, a ſhort time previous to the Revolution, ſhe ſtyles him "the ſubtileſt workingeſt villain on the face of the earth." It is worthy of remark, that at this preciſe period we find Lord Arran, in a diſpatch to King James, dated March 13, 1695, thus expreſſing himſelf: "With regard to news, it is certain that the preparations that are made here for the Mediterranean are deſigned for attacking Toulon, if it is poſſible. It is Lord Sunderland who has given me in charge to aſſure your Majeſty of this." M'Pherſon, vol. i. p. 487. On comparing this intelligence with a letter from Admiral Ruſſel to the Earl of Galway, it appears ſtrongly corroborated. The Admiral deſires his Lordſhip "to let him know, whether there was a probability of doing any ſervice with the fleet at the French ports; and particularly, if with our troops, and ſuch ſtrength as the Duke of Savoy could add to them, they and the fleet together might not attempt even TOULON itſelf with hopes of ſucceſs." This letter was communicated to his Royal Highneſs and the Marquis Leganez, who were of opinion, "*that not any thing could be done therein.*"

a legal

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a legal ſcruple, which might be attended with ſuch dangerous conſequences.

In the courſe of public buſineſs, ſoon after Chriſtmas, a petition was preſented from the inhabitants of Royſton, complaining of oppreſſive uſage from the officers and ſoldiers of Colonel Haſtings's regiment quartered there, in exacting ſubſiſtence-money, &c. by a ſort of coercion little ſhort of military execution. The Houſe, inflamed with this intelligence, ſet on foot an enquiry into the conduct of the colonels of regiments and army-agents, ſeveral of whom were committed to cuſtody in conſequence of a repreſentation to the King, and Haſtings was caſhiered; alſo a proclamation iſſued againſt all ſuch illegal and criminal practices.

Speaker of the Houſe of Commons expelled the Houſe.

This enquiry led to other inveſtigations of a ſtill more intereſting nature; and it appeared that ſeveral of the leading Members of the Houſe had been guilty of receiving bribes to facilitate the paſſing of certain bills. A Bill called the Orphans' Bill, brought into the Houſe by the Corporation of London, after ſeveral years' fruitleſs ſolicitation, it was remarked, had paſſed in the courſe of the laſt ſeſſion without difficulty. On appointing a committee to examine the Chamberlain's books, the copy of an order was found for paying Sir John Trevor, the SPEAKER of the HOUSE of COMMONS, one thouſand guineas ſo ſoon as the ſaid bill ſhould be paſſed, with an intimation from Barret the City Solicitor, that unleſs the ſaid ſum was given the bill would not paſs. On receiving the report, the Speaker was reduced to the unparalleled mortification of putting the queſtion, "that Sir John Trevor, Speaker of this Houſe, in receiving a gratuity of one thouſand guineas from the City of London, after paſſing the Orphans' Bill, is guilty of an high crime and miſdemeanor." This being carried in the affirmative, the Speaker thought it expedient to abdicate the chair, and was immediately expelled by an unanimous vote of the Houſe, and Paul Foley, Eſq. choſen Speaker in his room. Mr. Hungerford, Chairman of the Committee on the Orphans' Bill, having alſo been proved guilty of corruption, was in like manner expelled the Houſe.

But

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Duke of Leeds impeached for malverſations in office.

But the inveſtigations of the Houſe did not terminate here. The ſame Committee being empowered to examine the books and accounts of the Eaſt India Company; it appeared on inſpection, that whereas the ſums iſſued for ſpecial or ſecret ſervice did not in the year 1688 amount to more than 1284l. and in the two following years to more than 2096l. and 3056l.—in the laſt year 1693 it roſe to 167,000l. Sir Thomas Cooke, a member of the Houſe, having been Governor of the Company during the laſt year, was called upon to declare in what manner this money had been expended. Cooke, refuſing to anſwer, was committed to the Tower; and a Bill of Pains and Penalties brought in, obliging him to diſcover how the ſum mentioned in the Report of the Committee had been diſtributed. This bill was vehemently oppoſed by the Duke of Leeds in the Houſe of Lords, as contrary to law and equity; and furniſhing a precedent of a moſt dangerous nature. The warmth of the Lord Preſident only tended to create farther ſuſpicion, eſpecially as his Grace was loud and earneſt in the proteſtations of his own innocence, although no accuſation had been exhibited againſt him. The bill ultimately paſſed, with a clauſe indemnifying Cooke from any offence committed by him in the diſtribution of the money in queſtion; on which Cooke delivered in a ſtatement of the various ſums paid by him to various perſons: amongſt the reſt, 40,000l. to Sir Baſil Firebrace for favors and ſervices done to the Company. Sir Baſil, being examined as to the nature of the ſervices he had performed for the Company, fell into great confuſion and loſs of memory—complained of illneſs, and requeſted that the examination might be deferred—ſaid he had done the Company ſervice by his ſolicitations; but knew not of any money or ſtock given to any perſon whatſoever for procuring a new charter. On his re-examination he could now *recollect* that, in conſequence of a treaty with Mr. Bates, whom he thought able to do ſervice in paſſing the charter, he had given him two notes for 5500 guineas—that Bates had acquaintance with ſeveral great Lords, particularly the Lord Preſident, to whom he, i. e. Firebrace, had free acceſs *after the notes were given*; and found him eaſy and willing to grant the Company his aſſiſtance reſpecting the renewal of the charter. Sir Baſil farther ſaid, that, having at the firſt intimated to Bates that a preſent of

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2000 or 3000l. might be made for the ſervice required; Bates replied, that more than this had been offered by the other ſide. Sir Baſil at laſt conſented to give 5000 guineas: on which Bates ſaid, "this was nothing to HIM; he ought not to be employed for nothing"—on which an addition of 500 guineas was made to the 5000: and finally, that, about a week ago, Bates deſired to return the 5000 guineas, ſaying it might make a noiſe—the 500 ſtill remaining in his hands." Bates, being ſummoned, depoſed, that Firebrace had applied to him for his intereſt, ſaying, that the Company would be very grateful for it—that he did accordingly uſe his intereſt with the Lord Preſident, who ſaid he would do what ſervice he could, agreeably to the opinion he had delivered in public, viz. that the charter ought to be confirmed—that he did receive the notes in queſtion—that he told the Lord Preſident of it, and would have *paſſed* them upon him; but his Grace refuſed them—that counter-notes were given, making the payment of the money wholly dependent on the renewal of the charter—that the money, when paid, was lodged in the hands of a foreign domeſtic of the Lord Preſident, Monſieur Robart, where it had remained till he had returned the preſent to Sir Baſil, from the apprehenſion of the noiſe it might make—and that the whole was to be applied to his own private uſe." This account was corroborated by the Lord Preſident in a vindicatory ſpeech delivered in his place as a Lord of Parliament; when his Grace, receiving notice that the Commons were proceeding to a Vote of Impeachment againſt him, abruptly broke off, and, preſenting himſelf at the door of the Lower Houſe, cauſed the Houſe to be informed that he deſired to be heard in his own defence. He was accordingly admitted, and complimented with a chair within the bar, and leave to be covered. Then riſing with his hat off, he "thanked them for the favor they had granted, and expreſſed his impatience to juſtify himſelf from whatever might appear to deſerve the cenſure of that Houſe. His Grace then aſſumed a very loſty tone, ill ſuited to the occaſion, and declared it to be a bold word indeed, but a truth, that the Houſe would not have been ſitting at this time but for him—That he had been formerly purſued for being in the French intereſt, but that he hoped all the actions of his life would juſtify him from the charges brought againſt him.—As to the preſent matter,

ter, it was true Firebrace had been introduced to him—but that, upon his faith and honor, he had neither directly nor indirectly touched one penny of the money; nor did he think Bates was a man to be concerned in an ill thing. He inſinuated that a deſign had been framed againſt him, previous to the naming the Committee—that relative to this buſineſs he had a thread which he hoped to ſpin finer ſtill. That he aſked nothing but juſtice, but he truſted that no ſevere ſenſe would be put on what would bear a candid one.—He truſted that the Houſe would reconſider this matter; and, if they were determined to proceed, he hoped it would be ſpeedily; for that he would rather want counſel, want time, want any thing, than lie under their diſpleaſure—And he prayed that he might not ſuffer upon a rack, or under a blaſt, till a Parliament ſhould ſit again; but that he might have ſpeedy juſtice." The Duke being withdrawn, it was remarked by his enemies in the Houſe, that ſpeedy juſtice was indeed to be wiſhed; and that if any malicious contrivance againſt him could be traced by the means of any ſuch clue as his Grace boaſted to have in his poſſeſſion, he would no doubt be cleared by his peers, who were the proper judges of the merits or demerits of the charge. The Houſe then reſolved, 1ſt, that the Impeachment ſhould be immediately carried up to their Lordſhips' bar by Mr. Comptroller Wharton, &c. And 2dly, that the Committee do forthwith draw up Articles of Impeachment in due and regular form. In a few days the Articles were reported to the Houſe, and, being agreed to, were engroſſed and ſent up to the Lords: charging the Duke of Leeds with "high crimes and miſdemeanors, in that, being Preſident of the Council, and ſworn to give their Majeſties true and faithful advice, he had, contrary to his oath, office, and duty, &c. contracted and agreed with certain merchants trading to the Eaſt Indies, to procure a Charter of Confirmation, &c. for the ſum of 5500 guineas." During this interval Robart, in whoſe hands the money had been depoſited, thought it expedient to abſcond; and the Duke of Leeds, knowing the evidence to be now incomplete, urged anew the immediate proſecution of the Impeachment, and talked in high terms of the hardſhip and injuſtice of delay. He moved the Houſe of Peers, that, if the Houſe of Commons did not reply to the anſwer he had

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put in, that the Impeachment might be diſcharged: otherwiſe he might lie under the reproach of it all his life. The Commons, confounded at this incident, acknowledged that the withdrawment of M. Robart ſince the Impeachment was drawn up was the reaſon why they were not in readineſs to make it good. His Grace the Lord Preſident then, exclaiming in ſevere terms againſt the Commons for doing ſuch an unheard of and unprecedented thing, as to charge a man with crimes before they had all the evidence to make it good, informed the Houſe, that from a letter left by Robart, from the temper of the man, and from a particular knowledge he had both of him and the thing, he would not be ſeen here again in haſte. "So," ſaid his Grace, "if this man be inſiſted upon as a material evidence, and that my trial is to be delayed till he is forthcoming, when am I likely to be tried?"—And he concluded with again urging that the Impeachment ſhall fall, if not immediately proceeded upon. A prorogation of Parliament taking place at this preciſe juncture, and in the midſt of theſe proceedings, the enquiry, though not formally, was virtually relinquiſhed; but the moſt diſgraceful imputations adhered from this time to his Grace's character. It ought at the ſame time to be recorded, to the honor of the Earls of Portland and Nottingham, that it appeared from the Report of the Committee, that theſe noblemen refuſed with indignation the preſents or bribes ſeverally offered them from the ſame quarter, and for the obtainment of the ſame object.

Notwithſtanding the ſtigma thus indelibly affixed to the Duke of Leeds, he ſtill continued, little to the ſatisfaction of the public, at the head of the Council. His name, however, was not to be found amongſt the Lords of the Regency appointed by the King on his departure for the Continent. Theſe conſiſted of the Archbiſhop of Canterbury, the Lord Keeper Somers, the Lord Privy Seal Pembroke, the Lord Steward Devonſhire, the Lord Chamberlain Dorſet, the Secretary of State Shrewſbury, and the Firſt Lord of the Treaſury Godolphin.

Sir W. Trumbull made Secretary of State.

About this time Sir John Trenchard, Secretary of State, removed from his office by the mighty mandate of death, was ſucceeded by Sir William Trumbull,

Trumbull, a man formed very much upon the model of Sir William Temple; and who, like him and a few others, had been employed in the conduct of affairs previous to the Revolution, with honor to himself and advantage to the public. Being Envoy in France when the Edict of Nantz was repealed, he acted a moſt humane and worthy part in aſſiſting the Proteſtants to eſcape with their property from the rage of perſecution. From Paris he was ſent to Turkey, and reſided ſeveral years at Conſtantinople with great credit and ability.

Affairs of Scotland.

In the preſent ſpring (1695) a ſeſſion of Parliament was held in Scotland—the Marquis of Tweeddale being High Commiſſioner. During the courſe of it, a ſevere inquiſition was made into the affair of Glencoe, and heavy cenſures paſſed on the Maſter of Stair and the other principal actors in that diſmal tragedy, and proſecutions ordered to be inſtituted againſt them. But it does not appear that the examples made were ſo ſignally conſpicuous as might have been wiſhed and expected. And it ſeems probable, that the King, perceiving the quiet which had prevailed in the Highlands from that period, had, with the characteriſtic indifference of a ſoldier, harbored the opinion that the military execution of Glencoe, though attended with circumſtances of culpable barbarity, was in itſelf juſtifiable, as calculated to produce effects permanently beneficial.

African Company eſtabliſhed.

But this ſeſſion of Parliament was chiefly remarkable for an Act to eſtabliſh a Company, by the name of the Company of Scotland, trading to Africa and the Indies. This Company, in which almoſt the whole commercial ſtrength of Scotland was comprehended, were authoriſed to freight their own or hired ſhips for ten years from any of the ports or places in that kingdom, or from any other ports or places in amity with his Majeſty, to any lands, iſlands, &c. in Aſia, Africa, or America; and there to plant colonies, hold cities, towns or forts, in or upon the places *not inhabited* or *poſſeſſed* by any European Sovereign or State: with an excluſive right againſt all perſons not of the ſaid Company—provided that all the ſhips ſo freighted ſhould make their returns to Scotland, on pain

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of confiſcation. And an exemption from all impoſitions, duties, and taxes was granted to the Company for the term of 21 years. This very important Act, which was paſſed by the Lord Commiſſioner under the general inſtructions he had received for paſſing ſuch laws as might tend to the encouragement of trade, excited in Scotland the moſt eager and flattering hopes, and in England the moſt alarming jealouſies and apprehenſions; and it was in the ſequel productive of very ſerious conſequences. In the courſe of the ſeſſion the Earl of Breadalbane, who with the Maſter of Stair were univerſally accounted the original contrivers of the maſſacre of Glencoe, was brought to the bar of the Parliament to anſwer to a charge of high treaſon; it being proved upon him, that in treating with the Highland chiefs he had profeſſed his adherence to the intereſt of King James, &c. But he alleged that he had ſecret orders from King William to ſay any thing that would give him credit with them.—That he had acted with the permiſſion, at leaſt, of the King, cannot be doubted; and a remote day being fixed for his trial, in the interim the Parliament was prorogued, and a pardon granted him.—Of this nobleman it was ſaid, "that he was as ſubtile as a ſerpent, and as ſlippery as an eel; that he had no attachment of any kind but to his own intereſt; that he was not only Jacobite and Williamite by turns, but both at once; and that he played this double part with ſo much ſucceſs in the Highland Treaty, that he received the thanks of King James for having preſerved his people whom he could not ſuccor; and was rewarded by King William for having reconciled to his Government thoſe deſperadoes whom he found it ſo difficult to ſubdue."

State of Ireland. Wiſe government of Lord Capel.

The firſt ſeſſion of a new Parliament was held this year (1695) in Ireland, by Lord Capel, now advanced to the dignity of Lord Deputy; in which affairs were conducted, through the prudence and moderation of the new Governor, with unanimity and diſpatch; and many judicious laws enacted for the ſettlement of that unhappy and diſtracted country. At the termination of the ſeſſion, the Commons of Ireland tranſmitted an Addreſs to the King, in which they thus expreſs themſelves: "And we muſt ever acknowledge to your Majeſty the great benefit

nefit we do, and our poſterity ſhall receive by thoſe ineſtimable laws given us by your Majeſty in this ſeſſion of Parliament, held under your Majeſty's Deputy, and our excellent Governor, the Lord Capel; whereby not only our religion and legal rights are confirmed to us, but this your Majeſty's Kingdom of Ireland is firmly ſecured to the Imperial Crown of England." Amongſt the laws alluded to, was an Act for aboliſhing the Writs de Hæretico Comburendo; an Act declaring all Attainders and all other Acts in the late pretended Parliament held by King James null and void; an Act for diſarming Papiſts; an Act to reſtrain Foreign Education, and an Act for the better ſettling Inteſtates' Eſtates.

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BOOK III.

Death of the Duc de Luxemburg. Campaign in Flanders, 1695. Namur captured by King William. Campaign on the Rhine, in Italy, Spain and Hungary. Parliament diſſolved. Whig Intereſt obtains the Aſcendency. Treaſon Bill. Recoinage of Silver. Extravagant Grant to the Earl of Portland. Remonſtrance againſt the Scottiſh India Company. Dangerous Project for the Eſtabliſhment of a Council of Trade. Aſſaſſination Plot. National Aſſociation. Execution of Charnock, Friend, and Perkins. Great Naval Exertions. Campaign in Flanders, &c. 1696. Defection of the Duke of Savoy. Conqueſt of Aſoph by the Ruſſians. State of Affairs in Scotland—and Ireland. Seſſion of Parliament. Magnanimous Conduct of the Commons. Novel Operations of Finance. Freedom of the Preſs in Danger. Fenwick's Bill of Attainder. Arguments for and againſt it. Negotiations relative to Peace. Congreſs opened at Ryſwick. Campaign in Flanders, 1697. Barcelona taken by the French. Victory over the Turks at Zenta. Death of Sobieſki. Treaty of Ryſwick ſigned. Seſſion of Parliament. Vote of the Houſe of Commons for diſbanding the Army. Reſignation of Lord Sunderland. Affairs of the Eaſt India Company. Arbitrary and oppreſſive Meaſures embraced reſpecting Ireland. Theological Diſputes. Impolitic Interference of Parliament. Advancement of Lord Albemarle. Earl of Portland's Embaſſy to Paris. Czar of Muſcovy viſits England. Affairs of Scotland—and of Ireland. Projects of the King of England. Firſt Treaty of Partition. Reflections upon it. Peace of Carlowitz.

BOOK III.

1695. Death of the Duc de Luxemburg.

HAVING reviewed the ſtate of affairs in the Britiſh dominions at this period, it will now be proper to advert to the military operations carrying on upon the Continent. Early in the preſent year died Francis de Montmorenci Duke of Luxemburg; who ranks, by univerſal acknowledgment,

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ledgment, amongſt the greateſt generals of the age. The King of France publicly declared, that a greater loſs could not have befallen him. After ſome heſitation, the Marechal Duc de Villeroi was appointed his ſucceſſor; M. de Boufflers commanding a ſeparate and ſecondary army under him.

Campaign in Flanders.

It being the general expectation that the Allies would exert themſelves with redoubled vigor this campaign, a new line was drawn for the protection of French Flanders from the Lys to the Scheld, where the ſtorm was ſuppoſed moſt likely to fall: and M. Villeroi was reſtrained to act ſtrictly on the defenſive. The King of England, having put himſelf at the head of the Allied Army, advanced by rapid marches to the French lines, as if with a determination to riſk an attack; and, to maintain the deception, an attempt was actually made on Fort Knoque. Perceiving that the feint ſucceeded, and that all the French forces were drawn within the lines, the King diſpatched orders to the Earl of Athlone, who commanded a ſeparate army on the ſide of the Maeſe, to inveſt the city of Namur. This ſervice was performed with ſucceſs, though by reaſon of the difficulty of the ground, and the vaſt extent of the circumvallation, it was not poſſible to prevent M. de Boufflers from throwing himſelf into the place with a ſtrong reinforcement; ſo that the garriſon now amounted to 15,000 men. And great additions under M. Vauban having been made to the fortifications, it was conſidered by the French as impregnable; they had even the vanity to place over one of the gates of Namur, the inſcription "Reddi quidem, ſed vinci non poteſt." And this attempt was ſpoken of as an inſtance of unparalleled temerity.

The King of England, having marched back his army to Rouſelaar, left the command to the Prince de Vaudemont; and at the head of a grand diviſion of the troops joined the Elector of Bavaria and the Earl of Athlone, and took the command of the covering army before Namur. The ſeaſon, far from being remarkably rainy, as was the caſe in 1692, was now ſo dry that the convoys of proviſion and ammunition could not be ſent up the Sambre and Maeſe for want of water. The main body of the forces late under the ſeparate command of M. Boufflers having joined

joined M. Villeroi, that General was expected to march to the relief of the beſieged. But the Prince of Vaudemont being poſted in an expoſed ſituation three leagues only from the French camp, he determined firſt to attack and deſtroy this inferior enemy, and then to proceed on his expedition to Namur. The preſumption of the Prince de Vaudemont in chooſing ſo indefenſible a poſition has incurred the ſevere cenſure of that great military critic M. de Feuquieres; who at the ſame time remarks of M. de Villeroi, "that he was as blind as Fortune herſelf, who had ſo undeſervedly beſtowed this opportunity upon him." For when the enemy was thus evidently in his power, the Marechal reſolved, in oppoſition to all the inſtances that could be made to the contrary, to defer the attack till the next day. But the Prince, ſenſible of his danger, made in the mean time admirable diſpoſitions for a retreat. He poſted his cavalry in a manner ſo artful as to conceal the complicated manœuvres of the infantry; and a grand movement taking place with the utmoſt exactneſs and regularity, the French with amazement ſaw a whole army vaniſh as it were from before their eyes at once. Towards the cloſe of the evening, the Prince reached the plain of Oyendonck, where he deſigned to have taken poſt; but, recollecting, as he afterwards ſaid, a maxim of the great Duke of Lorraine, "that, when an army is retreating, it muſt be ſure to retreat beyond the enemy's reach," he continued his march all the night, after refreſhing his troops, and by nine in the morning found himſelf perfectly ſafe under the walls of Ghent.

This retreat was extremely admired and celebrated by all military judges; and the King of England wrote with his own hand a letter to the Prince, in which he compliments him by ſaying, "that it demonſtrated more conſummate ſkill in the art of war than if he had won a battle." The Mareehal was compelled to content himſelf with the capture of the petty fortreſſes of Dixmuyde and Deynſe, which he diſmantled, and detained the garriſons contrary to the conditions of the cartel eſtabliſhed between the Belligerent Powers.

Namur captured by King William.

In the mean time the ſiege of Namur was carried on with the greateſt vigor

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vigor and ſucceſs, under the direction of the celebrated Coehorn. The allied Generals ſeemed to feel that they had no longer a Luxemburg to contend againſt, and exerted themſelves with unuſual activity and perſeverance. The King and the Elector inſpired courage in every breaſt, by ſharing the toils and dangers of the ſiege equally with the men whom they commanded. On the ſtorming of the firſt counterſcarp, the King remained expoſed in the trenches a conſiderable time to a very hot cannonade from the enemy; which killed ſeveral perſons about him, and amongſt the reſt Mr. Godfrey, Deputy Governor of the Bank, who came over to eſtabliſh certain regulations relative to the army remittances; and was curious to ſee ſomething of the nature of military attacks *. On the 4th of Auguſt (1695), the town was ſurrendered by Count de Guiſcard, on condition of being allowed to withdraw the garriſon into the caſtle. M. Villeroi now advanced with his forces, as if determined to attempt the relief of the caſtle: but on a ſudden he defiled with his whole army towards Bruſſels, at that time the reſidence of the Electreſs of Bavaria, to whom a polite meſſage was ſent by the Marechal, that he had orders to bombard the place, but would ſpare the quarter where ſhe had her abode. This terrible menace was immediately put in execution; above 2000 bombs and a prodigious number of red-hot ſhot were thrown into the place, a great part of which was in conſequence laid in ruins. This was ſaid to be a retaliation upon the Engliſh for the bombardment of the French maritime towns. Regardleſs of this barbariſm, the ſiege of the caſtle of Namur was continued with unabating vigor; and M. Boufflers, fearing a ſpeedy ſurrender, and dreading the diſgrace of a capitulation, formed a deſperate attempt to break through the allied camp with his cavalry, but was prevented by the vigilance of the King. On the 21ſt of Auguſt the batteries opened with a general diſcharge

* The following converſation is ſaid to have paſſed between the King and Mr. Godfrey, a very few minutes before the cannon-ball came which deprived the latter of his life. KING. "As you are no adventurer in the trade of war, Mr. Godfrey, I think you ſhould not expoſe yourſelf to the hazards of it." GODFREY. "Not being more expoſed than your Majeſty, ſhould I be excuſable if I ſhewed more concern?" KING. "Yes: I am in my duty, and therefore have a more reaſonable claim to preſervation."

from

from 166 pieces of cannon and 60 mortars; ſo that the very hill on which the caſtle is ſituated ſeemed, according to the ſtrong expreſſion uſed on this occaſion, "to reel with the violence of the ſhock." On the 28th of Auguſt M. Villeroi, having received a great reinforcement from the Rhine, took poſt at Gemblours, and drew out his army in battalia as near the Allies as the ground would permit. On the other hand the King quitted his lines, and made every diſpoſition to receive his attack. But in the night the Marechal decamped, and retreated along the banks of the Mehaigne. A general aſſault was made on the caſtle the day ſucceeding this retreat; and, after a dreadful carnage on both ſides, a lodgement was made near an Engliſh mile in extent. Propoſitions being in a few days in forwardneſs for a ſecond aſſault, the Governor, Count de Guiſcard, deſired to ſpeak with the Elector; and an offer was made to ſurrender the Coehorn fort. But the Elector refuſing to treat for leſs than the whole, M. de Boufflers conſented to a capitulation—terms the moſt honorable being granted to the garriſon. The King of Great Britain had therefore the honor of taking in ſeven weeks one of the ſtrongeſt fortreſſes in Europe, defended by a Marechal of France, in ſight of an army of 100,000 men commanded by another Marechal of France. This was juſtly accounted the moſt glorious of all the warlike exploits of this martial and heroic Monarch*. On the marching out of

* The celebrated PRIOR, who in his various attempts at the more elevated and ſublime poetry is uniformly unfortunate, but who traverſes with eaſe and grace the lighter and gayer walks of Parnaſſus, has ridiculed with exquiſite humor the pompous Ode of Boileau on the taking of Namur, three years before this period; and has celebrated this achievement of King William in a very agreeable ſtrain of pleaſantry. Boileau, in his oſtentatious performance, had ſaid:

Mais qui fait s'enfler la Sambre?
Sous les Jumeaux effrayés,
Des froids torrens de Decembre
Les champs partout ſont noyés.
Ceres s'enfuit, éplorée
De voir en proye à Borée
Ses guerets d'epics chargés,
Et ſous les urnes fangeuſes

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of the garriſon, Marechal Boufflers was arreſted, by way of repriſal for the detention of the garriſons of Dixmuyde and Deynſe. He appeared at firſt much incenſed, and declared that the King his maſter would revenge the affront. But he was told, that, far from intending any perſonal affront, it was the higheſt compliment to detain him, as alone equivalent to the thouſands included in the captive garriſons. The arreſt of Boufflers being made known to the French Court, orders were diſpatched for the inſtant releaſe of the garriſons; and the Marechal, on his return to Verſailles, was received with diſtinguiſhed marks of eſteem and regard. Satisfied with the ſucceſs already gained, the King left the command of the army to the Elector of Bavaria, and forgot the cares of royalty for a few weeks, after ſuch exertions not inglorioufly paſſed, at the beautiful retirement of Loo.

Campaign on the Rhine:

in Italy:

The campaign on the Rhine, where the oppoſite armies were again commanded by the Marechal de Lorges and the Prince of Baden, was diſtinguiſhed only by inaction and inſignificance. In Italy, the Duke of Savoy recovered the important fortreſs of Caſal, with ſo little ſhow of reſiſtance

Des Hyades orageuſes
Tous ſes tréſors ſubmergés!
Déployez toutes vos rages,
Princes, vents, peuples, frimats:
Ramaſſez tous vos nuages:
Raſſemblez tous vos ſoldats!
Malgré vous Namur en poudre
S'en va tomber ſous la foudre
Qui domta Lille, Courtray,
Gand la ſuperbe Eſpagnole,
Saint-Omer, Bezançon, Dole,
Ypres, Maſtricht, et Cambray!

Thus happily parodied by the Engliſh Poet:

Will no kind flood, no friendly rain
Diſguiſe the Marſhal's plain diſgrace?
No torrents ſwell the low Mehaigne?
The world will ſay he durſt not paſs.
Why will no Hyades appear,
Dear Poet, on the banks of Sambre,

ſiſtance on the part of the French, as to furniſh an additional proof of the ſecret underſtanding ſuppoſed to ſubſiſt between the Courts of Turin and Verſailles. By the terms of the capitulation, Caſal was to be reſtored to its rightful proprietor, the Duke of Mantua.

in Spain:

The war in Spain, alſo, was feebly proſecuted. The King of France was impatient for peace, and contented himſelf with acting every where on the defenſive. The ſiege of Barcelona was rendered impracticable by the ſuperiority of the Britiſh fleet, which, under the command of Admiral Ruſſel, ſtill gave law to the Mediterranean. And to have adventured farther into the interior provinces beyond the Catalan frontier, would have required exertions which the French Court were not prepared to make. On the contrary, orders were ſent to abandon Palamos and the whole tract of country in their poſſeſſion beyond Gironne.

and in Hungary.

The Maritime Powers were not yet able to ſucceed in their favorite deſign of effecting a peace between the Imperialiſts and the Turks. Lord Paget, Ambaſſador from England, had arrived at Adrianople in the be-

Juſt as they did that mighty year
When they turn'd June into December?
The Water-nymphs are too unkind
To Villeroi—Are the Land-nymphs ſo?
And fly they all at once combin'd
To ſhame a General and a Beau?

Truth, juſtice, ſenſe, religion, fame
May join to finiſh William's ſtory:
Nations ſet free may bleſs his name,
And France in ſecret own his glory:
But Ypres, Maeſtricht, and Cambray,
Beſançon, Ghent, St. Omers, Liſle,
Courtray and Dole!—Ye critics, ſay,
How poor to this was Pindar's ſtyle?
With *ekes* and *alſos* tack thy ſtrain,
Great Bard! and ſing the deathleſs Prince
Who loſt Namur the ſame campaign
He bought Dixmuyde, and plunder'd Deynſe!

ginning

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ginning of February 1695, with full inſtructions relative to a pacification; but was informed that the death of the Grand Seignor Achmet II. had juſt taken place. He was ſucceeded by his nephew Muſtapha II. ſon of the depoſed Emperor Mahomet IV. who declared his reſolution to take the field in perſon, and reſtore the glory of the Ottoman arms. In effect, the campaign was carried on vigorouſly on the part of the Turks, and very feebly on that of the Germans, who had expected no ſuch extraordinary exertion. The command in Hungary was this year conferred on the Elector of Saxony, accompanied by General Caprara. But before the Imperial army was completely formed, and even before the Saxon troops had arrived, the whole Ottoman army had paſſed the Danube, and reduced the fortreſſes of Lippa and Titul, which they demoliſhed and abandoned. The Elector, putting at length his army in motion towards the enemy, was informed in his march, that the Turks had fallen with a prodigious ſuperiority of numbers upon General Veterani, who commanded in Tranſylvania; and, after a very long and brave reſiſtance, the General himſelf being mortally wounded, forced his camp, and cut to pieces the greater part of the troops. The town of Caranſebes was then ſeized upon and demoliſhed. After theſe exploits, the Grand Seignor repaſſed the Danube; and the Imperialiſts were unable, during the remainder of the campaign, to obtain any advantage which might ſerve as an equivalent for theſe ſevere and repeated loſſes.

In the beginning of the ſummer, a conſiderable naval force under Lord Berkeley, joined by a Dutch ſquadron under Admiral Allemonde, was employed, though with little effect, in the odious ſervice of bombarding the maritime places of Dunkirk, Calais and St. Malo. But they had the ſatiſfaction of totally deſtroying the neighboring town of Grandval, which was leſs prepared for defence. Theſe repeated outrages furniſhed but too juſt a pretext for the bombardment of Bruſſels, as a juſt and neceſſary retaliation on the part of the French—and it ſeems to have anſwered the purpoſe intended. The event proved, that the ſhips thus employed in the deſtruction of the property of the enemy would have been more beneficially engaged in the protection of our own: for the trade of the king-

dom

dom ſuffered greatly during the ſummer from the depredations of the French privateers; many merchant veſſels from Barbadoes and the neighboring iſlands, and no leſs than five Eaſt India-men, valued at a million ſterling, having fallen into their hands, to the equal wonder and diſcontent of the commercial world; the Engliſh fleets being now every where maſters of the ſea.

Parliament diſſolved.

The King returned to England early in October 1695, and was received as a conqueror with great and univerſal acclamation. A reſolution was taken in Council forthwith to diſſolve the Parliament, which might yet have ſat another ſeſſion. During the election, the King made a progreſs to the North; and partook, as before, of the diverſions of the turf at Newmarket, where he received the compliments of the Univerſity of Cambridge. Having ſtaid there three days, he went on the 21ſt to Althrop, a ſeat of the Earl of Sunderland, who was now publicly known to be in high credit with the King. From Althrop he proceeded to Caſtle-Aſhby and Boughton, the manſions of the Earls of Northampton and Montague; thence to Burghley, Welbeck, Warwick Caſtle, and Woodſtock. From this place he repaired on the 9th of November to Oxford, and was waited on by the Duke of Ormond, Chancellor of the Univerſity, and the Heads of Colleges, Profeſſors, &c. in their formalities; the conduit at Carfax running all the time with wine. And ſo much gratified was the Univerſity with his Majeſty's condeſcenſions, and ſo well reconciled to his government at this period, that Sir William Trumbull, the new Secretary, was choſen to repreſent them in Parliament.

Whig intereſt regains the aſcendency.

Throughout the kingdom the Whig intereſt prevailed in the new elections; and at the meeting of the new Parliament, November 22d 1695, the King expreſſed in his opening ſpeech his entire ſatisfaction at the choice which his People had made. Mr. Foley was again placed in the Speaker's chair; and the two Houſes, in their Addreſſes to the Throne, congratulated the glorious ſucceſs of his Majeſty's arms; and

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engaged effectually to assist him in the prosecution of the war, which they confirmed by voting very large and liberal supplies.

Treason Bill.

Four days after the meeting of Parliament, a bill, which had been formerly offered and rejected, for regulating trials in cases of high treason, was once more brought into the House by the Tories. The design of it, according to Bishop Burnet, seemed to be to make men as safe in all treasonable conspiracies and practices as possible; it being enacted, "that all persons indicted for high treason, or misprision of treason, shall have a copy of the whole indictment five days, and of the panel of the Jurors two days, at least, before the trial; that they shall be permitted the assistance of counsel; that they shall not be convicted but upon the oaths of two witnesses joining to evidence some overt act; that the indictment be found within three years after the offence be committed; that no evidence be admitted of any overt act not expressly laid in the indictment; that they shall have like process to compel their witnesses to appear for them, as is usually granted to witnesses against them; and that they be allowed peremptorily to challenge thirty-five of the Jury." The Whigs, in common with the Court, loth openly and directly to oppose so equitable and popular a measure, were contented to argue, that the security of the subject was best provided for when the best provision was made for the security of the Government. And that, therefore, the law ought to continue on its antient footing, at least till the war should be brought to a conclusion. Amongst those who rose in support of this bill was Lord Ashley, grandson of the great Earl of Shaftesbury, and pupil of the famous Locke; at this time little known, but at a latter period of his life universally admired and celebrated as the author of "The Characteristics." Although he had premeditated his speech, it so happened, that, struck with the august presence and deep attention of his auditory, he was disconcerted and unable to proceed. After a pause, recovering from his embarrassment, he converted, by the happiest and most brilliant effort of ingenuity, this incident, so common and trivial, into an argument in favor of the bill irresistibly powerful and impressive. "If I, Sir," said he,

he, addreſſing the Speaker, "who riſe only to give my opinion on the bill now depending, and have no perſonal concern in the queſtion, am ſo confounded that I am unable to find voice or words to expreſs the leaſt portion of that which I propoſed to ſay; what muſt the condition of that man be, who without any aſſiſtance is pleading for his life, and ſuffering under the immediate apprehenſions of being deprived of it?" This ſudden appeal to the heart operated more powerfully than the moſt labored eloquence. The bill paſſed in a tumult of applauſe; and it was immediately transferred to the Lords, who added to it a clauſe repeatedly rejected by the Commons: "that to the trial of a Peer all the Peers ſhould be ſummoned." Contrary, however, to the hopes of the Court, the Commons, rather than riſque the Bill, agreed to the amendment; and the Act received the royal aſſent. The final ſucceſs of this attempt, after the repeated failures of the Patriots reſpecting this great point, confirmed anew the maxim of Lord Coke, "that ſeldom or ever any good bill or good motion, which had once been entered on the Journals of the Houſe, though it miſcarried at firſt, was wholly loſt to the Nation."

Recoinage of ſilver.

The ill ſtate of the ſilver coinage, which had long been a ſubject of grievous complaint, was this ſeſſion taken into the ſerious conſideration of Parliament. Such was the depreciation of the current coin, in conſequence of the practice of *clipping* and other infamous frauds, that thirty ſhillings in the common courſe of exchange were equivalent only to one guinea. A reſolution was therefore taken, to call in and recoin the whole of the ſilver currency: and though confident predictions were hazarded of the evils that would enſue from the temporary ſuſpenſion of the uſual medium of commerce, the whole project was carried into ſpeedy and ſucceſsful execution, under the able and dexterous management of Mr. Montague, Chancellor of the Exchequer, who conducted himſelf in this difficult buſineſs entirely to the ſatisfaction of the Parliament and of the Public.

Extravagant grant to the Earl of Portland.

An affair of a very different nature was nearly at the ſame time canvaſſed in Parliament, which expoſed the King to ſevere cenſure, and ex-

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cited in his breaſt very ſenſible chagrin. The Earl of Portland, a man highly and upon many accounts deſervedly eſteemed by the King, but of a diſpoſition too prone to rapacity and avarice, had received repeated marks of the royal bounty—ſuch as in the opinion of the Nation at large were *at leaſt* adequate to his ſervices. This nobleman, to whom the King, indifferent himſelf to pecuniary concerns, knew not how to refuſe any thing, had lately ſolicited and obtained from the Crown a grant, to him and his heirs for ever, of the lordſhips of Denbigh, Bromfield and Yale, in the county of Denbigh. This was no ſooner made known to the gentlemen of Wales reſiding in that vicinity, than they determined in the ſpirit of antient Britons to reſiſt it to the utmoſt of their power: and while the warrant was yet pending in the public offices, they petitioned the Lords of the Treaſury for a hearing. This being complied with, Sir William Williams, in the name of the reſt, repreſented to the Board, "that theſe lordſhips were part of the antient demeſnes of the Prince of Wales; and always conſidered by the Welſh Nation as inalienable—that in the Statute for granting of fee-farm rents, there was a particular exception of the Welſh rents—and it was added, that the ſalaries of the Welſh were payable out of the revenues in queſtion." Lord Godolphin having aſked whether the Earl of Leiceſter had not thoſe lordſhips in grant to him in Queen Elizabeth's time; Sir Robert Cotton anſwered, "that the Earl of Leiceſter had a grant from the Queen of the lordſhip of Denbigh only—that this was ſo much reſented as to occaſion an inſurrection in the principality, for the part they took in which ſeveral of his family had capitally ſuffered; but that the Earl had been compelled in the end to relinquiſh his grant." Lord Godolphin, after giving the petitioners a patient and candid hearing, declared, "that they had offered weighty reaſons for their oppoſition, and that he would not fail to repreſent them to his Majeſty." The affair after this was ſuffered to lie ſeveral months dormant; but the grant not being formally revoked, the Denbighſhire gentlemen reſolved to petition Parliament againſt it; and Mr. Price, himſelf a Member of the Houſe of Commons, introduced the petition with a bold and energetic ſpeech, of which a very curious and ample report yet remains. This gentleman, amongſt a great

great variety of obſervations equally juſt and forcible, ſaid, "that he would gladly be informed from thoſe who were better verſed in prerogative learning than himſelf, whether his Majeſty *can*, by the Bill of Rights, without the conſent of Parliament alienate or give away the inheritance or abſolute fee of the Crown lands. If he can, I would likewiſe know," ſaid he, "to what purpoſe was the Crown ſettled for life, *with a remainder in ſucceſſion*, if the tenant for life can give away that revenue which is incident to the Crown.—Can the King have a larger power of diſpoſal over the revenue, than over the Crown to which it belongs?—Far be it from me to ſpeak in derogation of his Majeſty's honor—it cannot be expected that HE ſhould know our laws who is a ſtranger to us, and we to him—but it was the province and duty of Miniſters to have acquainted the King of his power and intereſt—that the antient revenue of the Crown is ſacred and unalienable in time of war and the People's neceſſities. By the old law, it is part of the Coronation Oath of the Kings of England, not to alien the antient patrimony of the Crown without conſent of Parliament. But as to thoſe oaths of office, moſt Kings have Court caſuiſts enough about their perſons to inform them that they have a prerogative to diſpenſe with thoſe oaths, eſpecially when their intereſt, as it generally happens, goes along with their council. It has been the peculiar care of Parliaments in all ages to keep an even balance between King and People; and therefore, when the Crown was too liberal in its bounties, the Parliament uſually reſumed thoſe grants.——Kings have their failings as well as other men; being clothed with frail nature, and apt to yield to the importunities of their favorites and flatterers; therefore it becomes neceſſary that the Great Council of the Nation ſhould interpoſe for the intereſt of King and People.—And whenever our Princes entertained *foreigners* as their counſel or chief adviſers, the People of England were reſtleſs and uneaſy until they were removed out of the King's council; NAY, out of the kingdom. WE ſee moſt places of power and profit given to *foreigners*. We ſee the revenues of the Crown daily given away to one or other, who make ſale of them, and tranſmit their eſtates elſewhere. If theſe ſtrangers find themſelves involved in an oppoſition of intereſts; to whoſe intereſt are they

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moſt likely to adhere? I would have us to conſider that we are Engliſhmen, and muſt like good patriots ſtand by our country, and not ſuffer it to become tributary to others—if we ſubmit to ſee our properties given away, our liberties will ſoon follow." Thrown into a flame by this ſpeech, the Houſe inſtantly agreed upon an Addreſs to the King, framed in very deciſive terms, to recall his grant to the Earl of Portland, which the King, not with a very good grace, engaged to do. He declared, "that he had a kindneſs for the Earl of Portland which he had deſerved by his long and faithful ſervices—that he ſhould not have given him thoſe lands, if he had imagined the Houſe of Commons could have been concerned—he would therefore recall the grant, and find ſome other way of ſhewing his favor to him." This was accordingly done; and in the month of May ſucceeding, a freſh grant was made to the Earl of the manors of Grantham, Dracklow, Pevenſey, Eaſt Greenwich, &c. &c. in the ſeveral counties of Lincoln, Cheſter, Suſſex, and Kent, together with the honor of Penrith in the county of Cumberland. Of theſe extravagant donations the Parliament did not think proper to take farther cognizance; but the beſt friends of the King lamented that he ſhould expoſe himſelf to ſuch unneceſſary obloquy, for the ſake of gratifying the inſatiable claims of an haughty and rapacious favorite.

Remonſtrance againſt the Scottiſh India Company.

The diſcontent of the Commons more conſpicuouſly appeared in an affair of a nature much more important and national. The recent eſtabliſhment of the Scottiſh Commercial Company with ſuch extenſive privileges and exemptions, excited in England both envy and apprehenſion. At a conference of the two Houſes, an Addreſs to the Throne was agreed upon, which had the air rather of a remonſtrance than a petition, repreſenting "that by reaſon of the great advantages granted to the Scots Eaſt India Company, and the duties and difficulties to which that trade was ſubject in England, a great part of the ſtock and ſhipping of this nation would be carried thither. By this means Scotland might be made a free port for all Eaſt India commodities—and conſequently thoſe ſeveral places in Europe which were ſupplied from England would be furniſhed from Scotland much cheaper than could be done by the Engliſh.—And

further, that when that nation ſhould have ſettled themſelves in plantations in America, the Engliſh commerce in tobacco, ſugar, cotton, wool, ſkins, maſts, &c. would be utterly loſt, becauſe the privileges of that nation granted to them by this Act were ſuch, that that kingdom muſt be the magazine for all commodities—and that by a clauſe in the ſaid Act, whereby his Majeſty promiſed to interpoſe his authority to have reparation made for any damage done to the ſhips and merchandize of the ſaid Company, his Majeſty did ſeem to engage to employ the ſhipping and ſtrength at ſea of this nation to ſupport this new Company, to the great detriment even of this kingdom." To this addreſs the King made anſwer, "that he had been ill ſerved in Scotland, but he hoped ſome remedies might be found to prevent the inconveniences which might ariſe from this Act."

As a convincing proof of the King's ſincerity in this buſineſs, the Marquis of Tweeddale, High Commiſſioner, and the two Secretaries of State were indignantly diſmiſſed from their offices, and the Seals of Secretary given to Lord Murray, ſon of the Marquis of Athol. This Scottiſh Act of Parliament was a truly unfortunate buſineſs, and boded nothing but diſaſter. It is certain that the Marquis of Tweeddale and the diſcarded Secretaries were men of honor and integrity; but, actuated by a very pardonable partiality to their native country, they had, without ſufficient warrant of authority, and with little foreſight of conſequences, promoted and patronized a project which could not in the nature of things but give extreme umbrage to the Engliſh Nation—though it is highly probable that the Act itſelf was an abſtract view wiſely planned. The infant bloſſoms of commercial adventure, which had with ſuch extreme difficulty ſurvived the chilling blaſts of the winter of poverty, required and demanded the foſtering warmth of legiſlative indulgence to mature and expand their foliage. Such a competition was far too feeble to excite any rational alarm. As well might the ſtately oak fear to be overſhadowed by the trembling oſier. In fact, Scotland could have gained no acceſſion of wealth and proſperity of which England would not have been an immediate and almoſt equal participant. Not ſatisfied with the ſteps already taken, the Houſe of Commons

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mons appointed a Committee to examine by what methods this bill was obtained. The Committee having in a ſhort time made their report, and delivered a copy of an oath *de fideli* taken by the Directors of the Scottiſh India Company; it was reſolved, "that the Directors of the Company of Scotland trading to Africa and the Indies, adminiſtering and taking here in this kingdom an oath *de fideli*, and, under color of a Scots Act of Parliament, ſtyling themſelves a Company, were guilty of a high crime and miſdemeanor: and that Lord Belhaven, William Paterſon, David Nairne, and eighteen other perſons named in the reſolution, be IMPEACHED of the ſame."

On the other hand, when the Scottiſh Nation was appriſed that the King had diſowned the Act for the eſtabliſhment of their Company, it is not eaſy to deſcribe the indignation which was excited. For they had indulged the moſt extravagant and chimerical expectations from the ſucceſs of their project. Inſtead of the bleak and barren hills of their native land, mountains of gold roſe in bliſsful viſion before their eyes; and they reſolved, in ſpite of all the oppoſition that England could give, to perſiſt in the proſecution of a plan which had now the ſanction of law, and which the King, however he might diſapprove, could neither alter, ſuſpend, or repeal.

Dangerous project for the eſtabliſhment of a Board of Trade.

An attempt, though unſucceſsful, of a nature too remarkable to be entirely paſſed over without notice, was made in the courſe of the preſent ſeſſion, in conſequence of the mercantile loſſes lately ſuſtained, to eſtabliſh a Council of Trade with extraordinary and independent powers. And the Houſe of Commons proceeded ſo far in the buſineſs, as to vote, 1ſt, That a Council of Trade ſhould be eſtabliſhed by Act of Parliament, with powers for the more effectual preſervation of the trade of this kingdom. 2dly, That the Commiſſioners conſtituting the ſaid Council be nominated by Parliament. 3dly, That none of the ſaid Commiſſioners ſhould be of this Houſe, &c. And a bill was ordered to be brought in upon the baſis of theſe reſolutions. This project was greatly diſapproved, and warmly oppoſed by many of the moſt reſpectable and intelligent Members

Members of the Houſe, who joined the Courtiers in affirming, "that the eſtabliſhment of a Council of Trade on ſuch principles muſt be regarded as a radical change of the Conſtitution.—They urged, that the executive part of the Government was by law wholly veſted in the King; ſo that the appointment of any permanent Executive Council by Act of Parliament began a precedent of encroachment upon the prerogative, which might be carried to the moſt dangerous lengths. It was indeed alleged that the Council would be much limited as to its powers: yet if the Parliament named the perſons, how low ſoever their powers might be at firſt, they would probably be quickly enlarged; and from being merely a Council of Trade, they would be next authoriſed to appoint convoys and cruizers. This in time might be extended to the whole buſineſs of the Admiralty, and the diſpoſal of that part of the revenue which was appropriated to the Navy—ſo that the Monarch would gradually be reduced to the level of a Doge of Venice." To the general ſurpriſe, the Earl of Sunderland declared loudly in favor of the bill; doubtleſs to ingratiate himſelf with the *popular*, or what the co-temporary writers of theſe times frequently ſtyle the *republican*, party; of whom, as the King truly remarked to Biſhop Burnet, Sunderland, from a retroſpect of his paſt conduct, ſtood in perpetual fear. William was much diſpleaſed with his conduct in this inſtance; but his reſentment does not appear to have been very ſerious or laſting. The arguments urged in oppoſition to the project in contemplation had probably their weight with the Houſe; as the bill was delayed, and ultimately loſt—the attention of the Houſe being forcibly diverted to a leſs doubtful topic, and of more immediate intereſt and general concern.

Aſſaſſination plot.

On the 11th of February 1696, a Captain Fiſher waited on the Earl of Portland, to inform him, that there was a deſign in agitation to ſeize the perſon of the King, which was to be followed by a general inſurrection in England and Scotland, and an invaſion from France—the ſhips being actually prepared, and a body of troops ready to embark, with King James at the head of them. On his ſubſequent examination before Sir William Trumbull, Secretary of State, he confirmed this account

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count with many additional circumſtances, ſaying that a commiſſion had been brought over from the late King, authoriſing this attempt on the perſon of the Prince of Orange, and that more than forty perſons were engaged in the ſaid deſign, which was called "attacking the Prince of Orange in his winter quarters." He further declared, that Saturday the 15th inſtant was the day fixed upon for putting their plan in execution, and that the attempt was to be made in a certain ſpot between Brentford and Turnham Green, as the King came in the evening from hunting, according to his uſual cuſtom: and that, in caſe of reſiſtance from the guards, he was to be *killed*. But this informer pertinaciouſly perſiſting in his refuſal to ſpecify the individuals engaged in this plot, the King, who was little ſubject to alarms, treated the whole ſtory as a fiction, and declared his reſolution to hunt in the foreſt as uſual on the ſucceeding Saturday. But in the evening of the 14th, Lord Portland, going late to his apartments at Whitehall, found a perſon of the name of Pendergraſs, who deſired to ſpeak with him on a ſubject of the higheſt importance, which could not be deferred: and being admitted to an audience, he accoſted the Earl in theſe words: "My Lord, perſuade the King to ſtay at home to-morrow for, if he goes abroad to hunt, he will be aſſaſſinated." He then proceeded to give a detail, in ſubſtance the ſame with what had been already recounted by Fiſher. This informer acknowledged himſelf to be "an Iriſhman and a Papiſt." But he declared, "that when this buſineſs was propoſed to him, he was ſtruck with horror, and immediately reſolved to diſcover it—that his religion was accuſed of authoriſing and encouraging ſuch actions; but that he for his part abhorred ſuch principles, though in all other reſpects he was a true Catholic. And he thought it moſt adviſable to impart it to his Lordſhip, as the perſon whoſe zeal and fidelity were fitteſt to be relied on." Like Fiſher, however, he abſolutely refuſed to mention the names of any of the parties concerned in this plot.

The Earl of Portland immediately repaired to Kenſington, though at a late and unſeaſonable hour; and, having obtained acceſs to the King, who had retired to reſt, informed him of the additional evidence by which

which the reality of the conſpiracy was now confirmed. On hearing this, the King thought proper to alter his reſolution of hunting on the morrow. This appears to have excited no alarm amongſt the conſpirators, as being attributed to accident; and the execution of the deſign was poſtponed to the following Saturday. In the interim, a third witneſs, named De la Rue, came to Sir William Trumbull, and diſcovered not only the particulars of the conſpiracy as before related, but the names of divers of the conſpirators, who were ſaid to be Sir George Berkeley, Sir William Perkins, Charnock, Parker, Porter, &c. &c. Fiſher and Pendergraſs, hearing this, conſented at length to come forward as legal witneſſes. No ſuſpicion being even yet entertained by the conſpirators of a diſcovery, they met at Porter's lodgings, Pendergraſs and De la Rue being of the number, on the morning of the 22d; and in the midſt of their conſultations they received intelligence that the King's hunting was a ſecond time put off; upon which the company fell into a conſternation, and talked of treachery: and, after drinking confuſion to the Prince of Orange, they ſeparated in great confuſion themſelves.

Warrants being iſſued the evening of the ſame day, various of the conſpirators were apprehended in their beds. At this critical juncture advices were received from the Elector of Bavaria, Governor of the Low Countries, that the French troops ſtationed on the coaſts of Normandy and Picardy were in motion, and ſhips of war and tranſports aſſembling in different ports of the Channel. It was reſolved, therefore, without farther delay, to communicate the whole of this extraordinary buſineſs to Parliament; and on Monday the 24th of February, the King in an intereſting ſpeech from the throne appriſed the two Houſes that he had received ſeveral concurring informations of a deſign to aſſaſſinate him; and that the enemies of the kingdom were very forward in their preparations for a ſudden invaſion." The Parliament, aſtoniſhed and inflamed at this intelligence, voted unanimouſly a moſt loyal and affectionate Addreſs, "expreſſing their deteſtation of ſo villainous and barbarous a deſign, and their reſolution to revenge the ſame on his Majeſty's enemies and their adherents." A bill was immediately ordered in for ſuſpending

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the Habeas Corpus Act; and the Model of an Association was immediately drawn, to be signed by the Members of the House, nearly in the terms of the Address, solemnly declaring that his present Majesty King William is *rightful and lawful* King of these realms. Above 400 Members of the House signed this Association immediately; and an order was made, that all Members should sign the same, or declare their refusal, on or before the 16th of March. This was a procedure extremely obnoxious to the High Tories and concealed Jacobites. "The distinction of a King *de facto* and a King *de jure* was revived on this occasion; and all the ability of the party was exhausted in their endeavors to shew, both from authority and argument, that they ought not to be pressed on this head; and that compliance or non-compliance ought not to be esteemed the test of a good subject *."

In the House of Lords, where the same Association was proposed, the words *rightful and lawful* were strenuously attacked on the old ground, as not applicable to an elected sovereign; and the Earl of Rochester moved, that in the stead of them should be inserted "that his present Majesty King William hath a *right by law* to the Crown of this realm; and that neither King James nor the pretended Prince of Wales, nor any other person, hath any right whatsoever to the same." This was indeed a very nice and curious, if not rather a senseless and unintelligible, distinction: yet it served as a salvo for the honor of the party; and it was wisely adopted by the House, in order to conciliate the more moderate Tories, who throughout the kingdom signed the Association of the Lords, while the Whigs adhered to that of the Commons. And the originals of both were, conformably to an Address of the Commons to the King, lodged among the records in the Tower, there to remain as a perpetual memorial of the national loyalty. As a farther proof of their attachment to the present Establishment, towards the close of the session a bill was introduced with general approbation, for the better Security of his Majesty's Person and Government, which enacted, that such as refused to take the

* Ralph, vol. ii. p. 623.

oaths

oaths ſhould be ſubject to the penalties of popiſh recuſants convict; that it ſhould be penal to declare by writing or otherwiſe, that King William was not *lawful and rightful* King of theſe realms; that no perſon ſhould be capable of any office of profit or truſt, civil or military, that ſhould not ſign the Aſſociation; or of ſitting in that Houſe after the determination of the preſent Parliament.

On the 27th of April 1696, the King cloſed the ſeſſion with a ſhort but gracious ſpeech, in which he "congratulated the Parliament that the deſigns of their enemies had, by the bleſſings of GOD no other effect than to let them ſee how firmly they were united." Before this period, ſeveral of the principal conſpirators had been brought to trial; not only De la Rue and Pendergraſs, but Porter, Goodman, Harris, and various others, being admitted as witneſſes for the Crown. The firſt who ſuffered was Robert Charnock, one of the two Fellows of Magdalene College who in the reign of James had renounced the Proteſtant religion. Sir John Friend and Sir William Perkins were tried and convicted ſoon after. They both perſiſted in their ignorance of any aſſaſſination plot, but acknowledged that they had been preſent at meetings held for the purpoſe of conſpiring againſt the Government. It was ſtrongly urged by the former, that according to the famous ſtatute of Edward III. a conſultation to levy war was not treaſon; and that the being at a treaſonable conſult was but a miſpriſion of treaſon. The ſtatute being read in Court, Lord Chief Juſtice Holt, a man to whom even the malignity of faction has not dared to impute any violation of integrity, declared, "that, though a bare conſpiracy or deſign to *levy war* was not within this law treaſon; yet if the deſign or conſpiracy be either to kill the King or to depoſe or impriſon him, or put any force or reſtraint upon him on any pretence, and the way propoſed to effect any of theſe ends is by levying war; there the conſultation and conſpiracy to levy war is high treaſon, though no war be actually levied." This is a conſtruction, however originally forced or artificial, ſo antient, and ſo univerſally adopted by the Courts of Judicature and incorporated into their deciſions, that no odium can attach to the Chief Juſtice for ſtating it as law. And it has been ſo long

Execution of Charnock, Friend and Perkins.

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and invariably acquieſced in by the Nation and by the Legiſlature, as to acquire in equity the force of law, inconſiſtent as it appears with the original intent and meaning of the ſtatute. At the execution of theſe State criminals they were attended by three Non-juring Clergymen, who had the effrontery to give them ſolemn abſolution in the view of all the people: for which inſult to the Government they were committed to cuſtody, but diſcharged after a ſhort confinement with only a reprimand from the Court. One of theſe clergymen was the celebrated Collier, author of the View of the Engliſh Stage; a man who to the ſuperſtition of a monk added the piety of an apoſtle, and the courage of a martyr. On this occaſion a declaration was ſigned by the two Archbiſhops, and twelve other Biſhops, among whom were Crew of Durham, Mew of Wincheſter, and Sprat of Rocheſter, containing a ſevere cenſure on the performance of this office of the Church, without a previous confeſſion made, and abhorrence expreſſed by the priſoners of the heinous crimes for which they died. To this declaration Collier, with undaunted ſpirit publiſhed a reply, "maintaining the abſolution to be every way defenſible as to matter, manner, perſons, and occaſion."

The trials of Rookwood, Lowick, Cranbourne, &c. ſucceeded to thoſe of Friend and Perkins; but afford no circumſtances of ſufficient moment to arreſt hiſtoric attention. The great problem to be reſolved on inſpecting theſe trials, is how far the late Monarch was concerned in that part of the conſpiracy which affected the life of the reigning King. From the whole tenor of the evidence, as well as from the confeſſion of ſeveral of the conſpirators, it appears that a Commiſſion of an extraordinary nature, written, as affirmed in evidence, by King James's own hand, was delivered by that Monarch to Sir George Berkeley, to levy war againſt the Prince of Orange and all his adherents. And the conſpirators had inſtructions from the King to obey the orders of Sir George Berkeley, an officer of great experience, courage and addreſs, who was conſidered by them as the head and chief of the whole enterpriſe; and to confer and conſult with whom the Duke of Berwick had in the preceding winter made a voyage to England, accompanied by the well known Colonel Parker,

Parker, an active and furious partiſan of the late King, who had recently eſcaped from the Tower. From the uniform and dying teſtimony of the conſpirators, it is morally certain that the Commiſſion did not expreſsly authoriſe the *aſſaſſination* of the Prince of Orange. "This," as Biſhop Burnet obſerves, "is an odious word, and perhaps no perſon was ever ſo wicked as to order ſuch a thing in ſo crude a manner." Nor is it perfectly clear, that the letter of the Commiſſion extended even to the ſeizure of the perſon of the Prince. None of the Crown witneſſes pretended to have ſeen the original Commiſſion; and Sir George Berkeley, in whoſe poſſeſſion it was, having effected his eſcape and reconveyed it to France, the tranſaction is left in impervious obſcurity. Porter depoſed, "that Charnock *told* him, Berkeley had a Commiſſion from King James to make an attempt on the perſon of the Prince of Orange; which was confirmed to the deponent from the mouth of Berkeley: and alſo, that he the witneſs had heard the ſame thing affirmed in diſcourſe by Sir William Perkins, with the additional circumſtances, 'that he had himſelf ſeen the Commiſſion; that it was written by the King's own hand, becauſe he would not truſt his Miniſters; and that the purport of it was for levying war on the *perſon* of the Prince of Orange." Blair, another witneſs, depoſed, "that Father Harriſon a monk, an agent of King James in London, told him, that if the buſineſs in hand," i. e. the ſeizure or aſſaſſination of the Prince of Orange, "miſcarried, it would hinder King James from coming." And Blair expreſſing his diſlike of any ſuch attempt, ſaying "there was no authority for it either from God or man;" Harriſon rejoined, "that there was an authority or warrant from King James, which he, Harriſon, had ſeen, though it was not fit every body ſhould ſee it." Fiſher depoſed, "that Sir George Berkeley propoſed to him, in the preſence of Harriſon the monk, the deſign of ſeizing the perſon of the Prince of Orange; and that Harriſon had aſſured him King James had ſent orders for executing the deſign aforeſaid; and that Sir George Berkeley had brought over with him the ſaid orders from France." Harris, an officer ſerving in the late King's body guard, ſwore, "that, being in France in the month of January laſt, he was ſent for by the King, who informed him, 'that being ſenſible he had ſerved him well, he ſhould

ſend

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ſend him to England, where he was to follow Berkeley's orders, in which caſe he would take care of him.' That on his arrival in England, he was ordered by Berkeley to keep cloſe till there was occaſion for his ſervice; that after a ſhort interval, repairing by appointment to the lodgings of one Counter, he found ſeveral perſons there aſſembled. Sir George Berkeley then coming in, declared 'theſe were his Janizaries; adding, that he hoped they would bring him the Garter;' and talked ſomething about *attacking*—which very much ſtartled the deponent, who till then had heard nothing of the matter. That on meeting Captain Rookwood the next morning, he aſked him whether they were to be the murderers of the Prince of Orange? to which Rookwood replied, he was afraid they were engaged in it. That at another time walking in Red Lion Fields with Lowick, Bernardi, and Rookwood, and conſidering what a barbarous thing they had to do; Lowick ſaid, he would obey orders, adding, 'Sure Sir George Berkeley would not undertake it without orders!' Upon which Rookwood often repeated, "the King had ſent him to obey Berkeley's orders; and both Bernardi and the deponent acknowledged they lay under the ſame obligation." Upon the whole, it cannot well admit of a doubt but that Sir George Berkeley, who appears to have been in very high favor at the Court of St. Germaine's, acted with a perfect underſtanding of its views, and an entire conformity to its inclinations. The real object of the Commiſſion was the *removal* by whatever means of the Prince of Orange; and a veil was artfully caſt over the villainy of the attempt, by endeavoring to give it the air of a military enterpriſe. Impartiality, nevertheleſs, requires the mention that Sir William Perkins, in the paper written by him, and left in the hands of the Sheriff, contradicts in part the evidence of Porter, in the following words: "I thank GOD I am now in a full diſpoſition of charity, and therefore ſhall make no complaints either of the hardſhips of my trial, or any other rigors put upon me. However, one circumſtance I think myſelf obliged to mention. It was ſworn againſt me by Mr. Porter, that I had owned to him that I had ſeen and read a Commiſſion from the King to levy war upon the *perſon* of the Prince of Orange. Now I muſt declare, that the tenor of the King's Commiſſion which I ſaw was general, and directed to all his loving

loving ſubjects to raiſe and levy war againſt the Prince of Orange and his adherents, and to ſeize all forts, caſtles, &c. But as for any Commiſſion *particularly levelled* againſt the *perſon* of the Prince of Orange, I neither ſaw nor heard of any ſuch." After all, whether the term *perſon* was expreſsly mentioned in the Commiſſion or not, it ſeems apparent from the authoriſed conſtruction of Sir George Berkeley, that it was included in the deſign and ſpirit of it.

The Memoirs compoſed or corrected by King James contain, notwithſtanding, a peremptory denial of this charge. "The King," it is ſaid, "was preſſed to make another attempt upon England. He was prevailed upon by conceiving the kingdom to be much better diſpoſed, and the conjuncture more favorable. Before the King entered upon his expedition, he found great difficulties about wording his Declaration. Melfort had been diſmiſſed at the ſolicitation of his friends in England. Middleton, who ſucceeded him, was of opinion that the King ought to adhere to his laſt declaration. The King left St. Germaine's February 28. The troops intended for the invaſion began to draw near Dunkirk and Calais. He was haſtened off too ſoon by the Court of France. The alarm was taken before things were ripe, and the intended expedition fell to the ground. Beſides the misfortunes common to this expedition with the reſt of the King's attempts, it brought obloquy upon him, by its being thought that he was privy to or approved of the deſign on the *perſon* of the Prince of Orange. Certain gentlemen, thinking to do the King good ſervice by it, combined among themſelves. Their firſt project was to ſurpriſe and ſeize the Prince of Orange, and carry him into France. But finding that impracticable if they ſcrupled his life, they were by degrees drawn into a reſolution of attacking him as he came from Hampton Court, or from hunting; and if they found no poſſibility of carrying him off alive, to make no difficulty of killing him. The King was neither privy to this deſign, nor did he commiſſion the perſons—though he ſuffered moſt undeſervedly both in his reputation and intereſt. For thoſe unfortunate gentlemen—by *miſtaking meſſages* on the one hand, and their too forward zeal on the other, moſt of them loſt their own lives,

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lives, and furniſhed an opportunity to the King's enemies of renewing their calumnies againſt him." It appears by this account, therefore, that the perſons concerned in this dark and deſperate buſineſs *imagined* they were acting under the ſanction of the Court of St. Germaine's: and it is not eaſy to conceive how it was poſſible in ſuch a caſe to miſtake the meſſages or inſtructions to which we are neceſſarily led to infer that they meant to conform.

Great naval exertions.

The Government having with ſuch ſucceſs detected and puniſhed the authors of this daring and dangerous conſpiracy at home; the moſt vigorous efforts were at the ſame time made to counteract the machinations of the enemies of the nation abroad. Admiral Ruſſel, having with incredible diligence collected a vaſt fleet of fifty ſhips of the line, ſtood over to the French coaſt, and diſcovered in the port of Calais between 3 and 400 tranſports, drawn up cloſe in ſhore, as alſo ſeventeen or eighteen men of war lying amongſt the ſands of Dunkirk, which were intended to cover the embarkation. The enemy, aſtoniſhed at the ſudden appearance of the Engliſh fleet, inſtead of continuing their preparations for a deſcent on the adverſe coaſt, became anxious for the ſafety of their own. The Engliſh Admiral, after detaching Sir Cloudeſley Shovel, an officer of great merit, to bombard the town of Calais, and completely diſconcerting the deſigns of the Court of Verſailles, returned in triumph to the Downs. King James, after having tarried ſome weeks at Calais with a view to embark for England as ſoon as matters were ſufficiently ripe, now returned diſconſolate to St. Germaine's. The troops aſſembled for the purpoſe of invaſion were marched back into the interior of the country; and the people of France exclaimed, "that the malignant ſtar which ruled the deſtiny of James had blaſted this and every other project formed for his reſtoration."

Campaign in Flanders, &c.

Early in May 1696 the King of England embarked, as for ſeveral preceding years, to take upon him the command of the Allied Army in Flanders. Some weeks previous to his arrival, a ſpirited attempt had been made, under the conduct of the Earl of Athlone and General Coehorn, on a vaſt magazine of ammunition and military ſtores, which the French had collected

collected at Givet, in order to enable them to make an early opening of the campaign. Such was the ſucceſs attending this enterpriſe, that after a bombardment of a few hours the whole was ſet on fire, and before the cloſe of the day completely conſumed; the two Generals returning to Namur without loſs or moleſtation. Vaſt armies were this year brought into the field without any viſible end or purpoſe; no offenſive operations being attempted either by Marechal Villeroi or the King of England; and a more ſtriking proof could not be exhibited of the folly of continuing a war at ſo immenſe an expence, without the proſpect, or, in this mode of conducting it, the poſſibility, of advantage.

The campaign on the Rhine reſembled that in Flanders, and conſiſted wholly of marches and counter-marches, affording no incident which can be ſuppoſed to claim the ſlighteſt attention of the general hiſtorian.

In Catalonia, M. de Vendome, an officer riſing into great reputation, who had ſuperſeded the Duc de Noailles, paſſing the Ter, attacked and forced the Spaniſh army under the Prince of Heſſe Darmſtadt encamped near the town of Oſtalric. The Spaniards, however, upon this occaſion made a good defence, and a regular retreat under the cannon of Oſtalric; ſo that no farther advantage could be gained over them; and it appeared on this, and many other occaſions, that the ſtate of imbecility into which Spain had for near a century fallen was owing not to any want of energy in the people, but to the miſerable and wretched policy of a ſenſeleſs and diſtracted Government.

Defection of the Duke of Savoy.

The moſt important event of the preſent year was the defection of the Duke of Savoy, who, finding the leading Powers of the Alliance ſtill reluctant to meet the advances of France, and at the ſame time, as Lamberti affirms, ſecretly appriſed by the Court of Verſailles of the *infallible reſtoration* of King James in conſequence of the meaſures then concerted, thought it expedient to provide for his own ſecurity by a ſeparate treaty, ſigned early in the ſpring privately and confidentially at Loretto, to which place the Duke had repaired on a pretended pilgrimage, and openly and avowedly towards the cloſe of the ſummer. The Emperor and the

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Kings of Spain and England were highly exaſperated at this deſertion. One of the conditions of the treaty went to eſtabliſh a neutrality in Italy, and the conſequent evacuation of that country by the Confederate Armies. To this the Courts of Vienna and Madrid refuſed with diſdain to accede; upon which, the Duke of Savoy, taking upon him the command of the combined forces of France and Piedmont, entered the Duchy of Milan, and inveſted the fortreſs of Valentia. After the trenches had been opened for thirteen days, a courier arrived with diſpatches ſignifying the conſent of his Catholic Majeſty to the propoſed neutrality; on which the Imperial and French troops retired to their reſpective countries. And his Moſt Chriſtian Majeſty ordered a moſt ſolemn Te Deum to be ſung at Notre Dame for the termination of the war in Italy, and ſplendid fireworks to be exhibited before the Hotel de Ville, with the happy device of Alexander cutting the Gordian knot.

In Hungary the Imperial armies were again commanded by the Elector of Saxony, who diſtinguiſhed himſelf as a General rather by his bravery than his military ſkill and conduct. A fierce but indeciſive engagement between the two armies took place Auguſt 1696, on a plain bordering on the river Beque, after which a ſort of ceſſation of hoſtilities ſeemed to enſue. The attention of Europe was, however, forcibly drawn to this ſide of the Continent, in conſequence of the ſudden and ſucceſsful attack made by Peter Czar of Muſcovy on the Turkiſh dominions, and the ſurrender of the important city of Aſoph, ſituated at the mouth of the Tanais, to the Ruſſian arms. The Emperor Leopold was eager on this event to conclude a treaty of alliance with the Czar; and Europe now for the firſt time began to entertain ſome faint idea of the greatneſs of that power, which was deſtined to make ſo diſtinguiſhed a figure in the tranſactions of the ſucceeding century. The talents of the young Czar, clouded and obſcured as they were by the defects of a barbarous education, already appeared in the view of penetrating obſervers to bode extraordinary changes and events. His father Alexis, who died in 1675, left three ſons, Theodore, Iwan and Peter, and a daughter, Sophia. Theodore dying in 1682 conſtituted Iwan and Peter joint ſovereigns; and, on account of the imbecility

Conqueſt of Aſoph by the Ruſſians.

imbecility of Iwan and the tender years of Peter, Sophia was declared Regent of the Empire. She was a woman of great courage, addreſs and ambition. Her adminiſtration was violent and bloody; and ſhe harbored the deſign of ſeizing on the Empire, to the excluſion of her brothers. But Peter, who had now attained to the age of ſeventeen, with equal ſagacity and reſolution attacked the Princeſs ſuddenly at Moſcow, defeated her partiſans, and, making her a priſoner, compelled her to retire within the walls of a monaſtery. Iwan dying in the preſent year, Peter now reigned ſole Emperor, and ſoon gave indications of an ardent and aſpiring mind, formed for vaſt and boundleſs enterpriſe.

The Court of Verſailles having renewed its overtures for peace, and even delegated M. de Callieres to the States General with ſpecific propoſals; the Maritime Powers, alarmed at the defection of the Duke of Savoy, ſeemed at length to lend a ſerious ear to the propoſitions of France. And on the 3d of September 1696, their High Mightineſſes, with the approbation of the King of England, came to a ſolemn reſolution, "that, in conſequence of the conceſſions of France to the Imperial demands, matters were now brought to ſuch a criſis, that in concert with their Allies the mediation of Sweden might be accepted." But Spain and the Emperor in haughty terms ſignified their opinion, that the declarations of France were not yet ſufficiently explicit—they inſiſted upon the re-eſtabliſhment of the treaty of Weſtphalia in all its parts; and they added this extraordinary condition to their acceptance of the mediation, "that the King of Sweden, as guarantee of the Treaty of Weſtphalia, ſhould join his forces to thoſe of the Allies, in caſe France ſhould refuſe to accede to the terms propoſed." The proſpect of a peace, therefore, was to appearance ſtill very diſtant; and the King of England, after adjuſting meaſures for the next campaign, returned early in the month of October to England.

State of affairs in Scotland.

During his abſence in the ſummer, a ſeſſion of Parliament had been held in Scotland—Lord Murray, created Earl of Tullibardine, preſiding as High Commiſſioner. A ſpirit of loyalty ſeemed to pervade the whole of their proceedings; the ſupplies demanded by the Court were granted

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without difficulty, and an Aſſociation ſimilar to that of England was adopted with equal unanimity.

State of affairs in Ireland.

Ireland this year ſuſtained a great public loſs by the death of the Lord Deputy Capel. Peace and order ſeemed, however, in a great meaſure reſtored. The government of that kingdom was transferred to Sir Charles Porter, Lord Chancellor, and the Earls of Montrath and Drogheda, as Lords Juſtices. A ſeſſion of Parliament being held, the Aſſociation of the Engliſh Legiſlature was ſigned by all the Members, excepting one Sanderſon, who was thereupon indignantly expelled the Houſe.

Seſſion of Parliament.

On the 20th of October 1696, the day fixed for the meeting of the Parliament of England, the King acquainted the two Houſes, "that overtures for peace had been made on the part of the enemy. But," ſaid he, "I am ſure we ſhall agree in opinion, that the only way of treating with France, is with our ſwords in our hands." In reply to which, the Commons preſented an Addreſs framed in the ſpirit of Roman magnanimity.

Magnanimous conduct of the Commons.

"This is the eighth year," ſay they, "in which your Majeſty's moſt dutiful and loyal ſubjects, the Commons in Parliament aſſembled, have aſſiſted your Majeſty with large ſupplies for carrying on a juſt and neceſſary war in defence of our religion, preſervation of our laws, and vindication of the rights and liberties of the People of England, which we have hitherto preſerved, and by the bleſſing of GOD on your Majeſty's conduct and good government will ſteadfaſtly maintain, and entail on our poſterity. This has coſt the Nation much blood and treaſure: but the hopes of accompliſhing ſo great and glorious a work have made your ſubjects cheerfully ſupport the charge. And to ſhew your Majeſty and all Chriſtendom, that the Commons of England will not be amuſed or diverted from their firm reſolutions of obtaining by war a ſafe and honorable peace; we do, in the name of all thoſe we repreſent, renew our aſſurances to your Majeſty, that this Houſe will ſupport your Majeſty and your Government againſt all your enemies both at home and abroad; and that they will effectually aſſiſt you in the proſecution and carrying on the preſent war againſt France." The King, highly pleaſed and gratified

tified with these assurances, replied in warm terms, "that the continuance of their zeal and affection was what of all things in the world he valued most; and that he would make the good and safety of the Nation the principal care of his life."

Novel operations of finance.

The professions of the Commons by no means evaporated in mere words. The estimates of the necessary supplies being laid before the House by Mr. Montague; it appeared that near six millions were wanting for the current expences of the year; and upwards of five millions of floating debt, occasioned by the deficiency of former funds and taxes, were to be provided for. Meeting the embarrassments of the moment with firmness and fortitude, they came to a resolution, "that the supplies for the service of the year 1697 should be raised within the year;" which was effected by a land-tax of three shillings in the pound, and a very heavy capitation tax, in addition to the existing burdens. The arrear of 5,160,000l. was provided for by loans and Exchequer bills, which till this time, from the delay and uncertainty of payment, had suffered an enormous depreciation. But the most vigorous and effectual measures were now taken for the restoration of the public credit. An interest of 7l. 12s. per cent. was allowed upon these bills; they were taken by the Government as money, in the payment of all duties excepting the land-tax; and the Commissioners of the Treasury were authorised by Parliament to contract with such individuals or bodies corporate as they thought fit to exchange these bills or *tallies* for ready money at a certain premium; which was first fixed at ten per cent. but afterwards sunk to four; till in a short time, to the astonishment of the public, who had so long seen them at 20, 30 or 40 per cent. discount, they rose to *par*, in consequence of these very easy and obvious, but at this period novel and marvellous operations of finance. There were, nevertheless, those who mourned in secret to see national profusion and extravagance organised into a system, and millions upon millions lavished and dissipated, as if the national wealth could never be exhausted, and the hearts-blood of the public were destined eternally to feed the insatiable vulture of war.

So anxious were the Commons to retrieve and establish parliamentary and

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and public credit, that they condeſcended to take very great alarm at a trifling jeſting paragraph in a certain periodical paper publiſhed at this time, called The Flying Poſt, expreſſed as follows: "We hear that when the Exchequer notes are given out upon the capitation fund, whoſoever ſhall deſire ſpecie on them will have it, *at five and a half per cent.* of the Society of Gentlemen that have ſubſcribed to advance ſome hundreds of thouſands of pounds." They voted this paſſage to be "a malignant inſinuation in order to deſtroy the credit and currency of the Exchequer bills." They ordered the Printer, John Saliſbury, to be taken into cuſtody; and gave leave to bring in a bill to prevent the writing, printing, or publiſhing any news without licenſe. And yet, when ſuch a bill was preſented by Mr. Pulteney, it was, to the everlaſting honor of the Houſe, thrown out before a ſecond reading; becauſe, though they ſaw the miſchiefs of the liberty of the preſs, they knew not where to fix the power of reſtraint. This was happily the laſt attempt ever made to fetter the freedom of the preſs, that palladium of our liberties. Soon after the Reſtoration, an act, founded chiefly on the Star Chamber decree of 1637, paſſed, to ſubject the preſs to the reſtrictive power of a licenſer; but this, as the celebrated Blackſtone obſerves, "is to ſubject all freedom of ſentiment to the prejudices of one man, and make him the arbitrary and infallible judge of all controverted points in learning, religion, and government. The will of individuals ought to be left free; the abuſe only of that free will is the proper object of legal puniſhment." The Licenſing Act determined in 1679, but was revived by ſtatute in the firſt year of James II. and continued till 1692, when it was again renewed for two years, and finally expired in 1694, when the preſs became properly free, as it will now in all probability remain till the Conſtitution of England, already ſhaken to its centre, ſhall periſh with it*.

* "It ſeems not more reaſonable," ſays Dr. Johnſon, "to leave the right of printing unreſtrained, becauſe writers may be afterwards cenſured, than it would be to ſleep with doors unbolted, becauſe by our laws we can hang a thief." Thus, by a dangerous illuſion are wit and metaphor too often by men of parts ſubſtituted for grave and ſolid argument. In the preſent inſtance, the edge of the remark has been with great felicity turned againſt the remarker, by the counter obſervation, "that, to ſuffer no book to be publiſhed without a licenſe is tyranny as abſurd as it would be to ſuffer no traveller to paſs along the highway without producing a certificate that he is not a robber."—*Hayley's Life of* MILTON.

The attention of the Houſe was for a great part of the ſeſſion engaged and almoſt engroſſed by a buſineſs, which, in the view of a diſtant poſterity, can by no means appear of that moment and importance which it accidentally and artificially acquired in conſequence of the temporary warmth of political contention. Sir John Fenwick, a man deeply concerned in the late conſpiracy, had been apprehended in the month of June at New Romney, in his way to France. He had been accompanied during part of his flight by one Webber, to whom he entruſted a letter to his lady, which was unfortunately intercepted. In this confidential effuſion of affection and terror, he ſaid, "that nothing could ſave his life, but the endeavors of Lord Carliſle his brother, the family of the Howards, &c. or elſe the ſecuring a jury." On his examination before the Lords of the Regency, he reſolutely denied the charges brought againſt him: but at length the letter was produced; the ſurpriſe of which ſo affected him, that he could not conceal his diſmay and confuſion, and no longer perſiſted in his former proteſtations of innocence. Soon after this, on hearing that a bill was found againſt him by a grand jury, he petitioned for a delay of trial, and offered to diſcover all he knew, on condition he might have a pardon, and be excuſed from appearing as an evidence. This propoſal was tranſmitted to the King, then in Flanders, who refuſed to accede to it; and declared, that he would be left at full liberty to judge both of the truth and importance of his diſcoveries. Sir John, then reſolving to throw himſelf upon the King's mercy, ſent him a paper, in which, after a very ſlight and unſatisfactory account of the plots and projects of his friends the Jacobites, he had the egregious indiſcretion to bring forward an accuſation againſt the Earls of Shrewſbury, Marlborough and Bath, the Lord Godolphin and Admiral Ruſſel, for having made their peace with James, and engaged to act for his intereſt. By this imprudence he made of courſe the moſt powerful men in the kingdom his inveterate and determined enemies—and the charge having its foundation in truth, though blended perhaps with ſome inaccuracies and exaggerations, it behoved them to adopt bold and deciſive meaſures to ſilence the accuſer. "Till the year before the buſineſs of La Hogue," ſays Sir John Fenwick, in that fatal confeſſion,

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confeſſion, which of itſelf conſtituted a crime too great for abſolution, "we knew only of my Lord Godolphin concerned in this Government who held a correſpondence with him (i. e. King James) from the time he went over.—This winter my Lord Middleton came to town, who had often been deſired to go over (i. e. to St. Germaine's), believing it would be great ſervice to King James to have him there in his buſineſs. He alleged he could do little ſervice by going, unleſs he could engage and ſettle a correſpondence here before he went—that he had entered into this affair with Lord Shrewſbury and Lord Godolphin already; and there were ſome others whom he believed he ſhould gain, and then he would go. Soon after Captain Floyd, a groom of the bedchamber to King James, was ſent over to him from my Lord Marlborough and Admiral Ruſſel, with an aſſurance from them of their intereſt in the fleet and army, which they did not doubt but to ſecure to him if he would grant them his pardon for what was paſt. At his return, which was within a month, he acquainted me with ſome things King James had ordered him, and told me he had no difficulty in Mr. Ruſſel's affair: but the anſwer to Lord Marlborough was, that he was the greateſt of criminals, where he had the greateſt obligations; but if he did him extraordinary ſervices, he might hope for pardon.——My Lord Middleton, having ſettled his correſpondence, went over in March following.—Sir Ralph Delaval and Killigrew were both engaged to ſerve King James: their opinion was aſked of Shovel; they ſaid, he was not a man to be ſpoke to, &c."

This information was treated with great contempt. The King would not appear to give any ſort of credit to it; and an order was iſſued for bringing him to trial unleſs he made fuller and more material diſcoveries *. But various delays intervened; and Sir John Fenwick, perceiving how

* No doubt the parties concerned endeavored to vindicate themſelves as well as they were able from theſe accuſations—but the Duke of Devonſhire, to whom Sir John Fenwick read the papers, told him "that the King was acquainted with moſt of thoſe things before." There is a curious letter extant from Shrewſbury to the King, in the Kenſington Cabinet, dated September the 8th, 1696, containing proteſtations of innocence to which it is unpleaſant

how little chance he had of eſcape from this quarter, thought it neceſſary to play a new game, and began with great art and aſſiduity to practiſe upon the witneſſes who were to be produced againſt him. Theſe were Porter and Goodman, both of them men very obvious to corruption. The firſt, being the moſt conſiderable perſon of the two, was offered the ſum of 600 guineas to bear his charges to France, and an annuity of 300l. for life. Porter, inſtead of accepting theſe propoſals, thought he conſulted his intereſt better in divulging the offers made by the

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ſant to be obliged to refuſe credit. "I want words," ſays he, "to expreſs my ſurpriſe at the impudent and unaccountable accuſation of Sir John Fenwick. I will, with all the ſincerity imaginable, give your Majeſty an account of the only thing I can recollect that ſhould give the leaſt pretence to ſuch an invention. After your Majeſty was pleaſed to allow me to lay down my employment, it was more than a year before I once ſaw my Lord Middleton. He told me, he intended to go beyond ſeas, and aſked if I would command him no ſervice. I then told him, by the courſe he was taking it would never be in his power to do himſelf or his friends ſervice; and if the time ſhould come that he expected, I looked upon myſelf as an offender not to be forgiven.—He ſeemed ſhocked at my anſwer, and never mentioned any thing elſe to me, but left a meſſage with my aunt (Lady Middleton) 'that I might depend upon his good offices upon any occaſion; and in the ſame manner he relied upon mine here, and had left me truſtee for the ſmall concerns he had in England.' I only bowed, and told her I ſhould always be ready to ſerve her, or him, or their children. Your Majeſty now knows the extent of my crime; and, if I do not flatter myſelf, it is no more than a King may forgive." In a ſubſequent letter (October 1696) he craved permiſſion to reſign the Seals on account of the ill ſtate of his health, and the ſuſpicion he lay under—but to this the King would by no means hearken. Mr. Macpherſon, on the authority of the MS. Memoirs of King James, imputes the attainder of Sir John Fenwick to a perſonal enmity of William againſt him. Macpherſon's Hiſt. vol. ii. chap. 3. But, as Dr. Somerville in his Hiſtory of Political Tranſactions, &c. juſtly and judiciouſly obſerves, "if the Life of James is admitted as authentic, on the one hand, with reſpect to every allegation and fact favorable to his own character, and as equally authentic, on the other, in eſtabliſhing every inſinuation reproachful to the character of William; it is obvious what the conſequence muſt be, and how unfairly a perſon truſting to ſuch information muſt judge of the conduct of James and William.—Had he been prone to reſentment, he might have gratified it more extenſively and effectually by ſaving Sir John Fenwick, and admitting him as an evidence againſt thoſe men whoſe treachery was aggravated by ingratitude; but upon this and many other occaſions William ſacrificed reſentment to conſiderations of prudence and generoſity." In this, as in almoſt every other inſtance, Mr. Macpherſon's poiſoned ſhaft miſſes its mark, and "hits the woundleſs air."

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priſoner, to the Government. But Goodman, being alſo tampered with, proved more compliant; and when the time of the trial approached, it appeared that, one of the witneſſes having abſconded, no legal conviction, as the law of treaſon now ſtood, could take place—all collateral evidence, however cogent or ſatisfactory in itſelf, being invalid and nugatory: and the priſoner had great reaſon to flatter himſelf that he was in a ſtate of perfect ſafety. But the enemies of Fenwick were far too powerful to ſuffer him thus to reap the benefit of his own artifices. On the 6th of November 1696, Admiral Ruſſel acquainted the Houſe of Commons, "that his Majeſty had given leave to lay before them the ſeveral papers which had been given in by Sir John Fenwick, in the nature of informations againſt himſelf, and ſeveral other perſons of quality; and he deſired that thoſe papers might be read, that ſo he might have an opportunity of juſtifying himſelf; or, if he did not, that he might fall under the cenſure of the Houſe." The papers being read, Fenwick was ordered to the bar of the Houſe, and interrogated by the Speaker as to his knowledge of the deſigns and practices of the enemies of Government; being at the ſame time told, that to make a full and clear diſcovery was the beſt and only method he could take to deſerve the favor of the Houſe. To this he made a very weak and prevaricating reply—declaring "that he had already, in the hope and proſpect of pardon, diſcovered all he knew; and the anſwer conſtantly was, 'This is not ſatisfactory;'—ſo that," ſaid the priſoner, "I am where I was. Now, when a man hath told all he knows, and this muſt ſtill be the anſwer, it is very hard. I hope I ſhall not find this from this Honorable Houſe: I know this Houſe is good ſecurity, if I had it; but till I have it I am under theſe circumſtances that I may at laſt be told, 'All is not ſatisfactory." In conſequence of this indiſcretion, he inflamed the anger of the Houſe by his refuſal, and the reſentment of the Executive Government by his implied reproach—reducing himſelf, by his own ſtatement of things, to this unhappy dilemma: Either he had, previous to this examination at the bar of the Houſe, made a full and clear diſcovery as he pretended, in which caſe it was great preſumption and abſurdity to ſtipulate for a pardon, when he had nothing freſh to communicate—or, if he had not already made a full diſcovery,

discovery, he stood self-convicted of the grossest falsehood and dissimulation, with regard to the Court, which would then be entirely exculpated as to any expressions of dissatisfaction.

Fenwick's Bill of Attainder.

A motion was forthwith made, and carried by a great majority, to bring in a bill to attaint Sir John Fenwick of high treason; and counsel was assigned him by order of the House. But the bill in all its stages, and in its progress throughout both Houses, had to encounter a most unexpected opposition, invigorated by all the animation and eloquence which the rage of faction could inspire. The Tories and concealed Jacobites in the House felt that they stood upon high and popular ground; and they improved their advantage with great art and ability. The question resolved itself into two parts: 1st, Whether any deviation from the established and legal mode of proceeding, and the assumption of so extraordinary a power as that of passing bills of attainder on evidence not admissible in the inferior courts, was in any case justifiable? And, 2dly, Whether, if such an arbitrary exertion of authority was ever to be vindicated, the case of Sir John Fenwick was of so great magnitude as to justify the exercise of it?

Arguments for and against it.

The advocates for the bill alleged, that the ordinary and established laws of the land were intended and calculated for ordinary cases; but that there never existed a government where there was not a resort to extraordinary power when the nature of the case required it. The reason why any man deserves to be punished, is because he is criminal, let his crime be made evident in any way whatsoever—whatever makes the truth evident, is and must be held fair and reasonable evidence. Can any innocent man think himself in danger, when he is judged by the Representatives of the Nation and the Peerage of the Realm? If the bill in question established a precedent for punishing a man whose guilt was doubted of, it would indeed be a very ill and dangerous precedent. But, on the contrary, it is in fact a precedent for punishing a man notoriously criminal, who had eluded the justice and dared the resentment of his country. For such a case provision could not be made by fixed and

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ſtanding laws. The Legiſlature was indeed bound to obſerve juſtice and equity as much, if not more than the inferior Courts; becauſe the Supreme Court ought to ſet an example to all others: but they might ſee cauſe to paſs over forms as occaſion ſhould require. The Conſtitution of England admitted neither State inquiſitions, nor tortures, nor any magiſtrate veſted, like the Dictator of the Romans, with unlimited power; and therefore, upon great emergencies, recourſe muſt be had to the Supreme Legiſlature. The method of attainders had been practiſed at all times; and when parliamentary attainders went upon good grounds, they had never been thought to merit cenſure. Bills of attainder paſſed in times of violence had indeed been reverſed, and ſo likewiſe had judgments of the inferior courts. The poſſible abuſe of power is no argument againſt its juſt and reaſonable exerciſe. The Nation and every perſon in it muſt be ſafe in the hands of a Parliament elected by themſelves; or, if they are not ſafe, there is no help for it—the Nation muſt periſh, for it is by their own fault. The antient Romans carried their idea of liberty ſo high, that by the Portian Law no citizen could be put to death for any crime whatſoever. Yet in the famous caſe of Catiline's conſpiracy, as the evidence was clear, and the danger extreme, the accomplices in it were executed notwithſtanding the Portian Law. And this was done by the order of the Senate, without either hearing them make their own defence, or admitting them to claim the right which the Valerian Law gave them of an appeal to the People.

In reply to theſe arguments the opponents of the bill inſiſted, that the High Court of Parliament, though not bound by the forms of law, could not depart from the rules of evidence. Parliament could not alter the nature of things; what was juſtice and equity in Weſtminſter Hall was juſtice and equity everywhere. It had been ſolemnly determined by a late Act, that two witneſſes were neceſſary to prove an overt act of treaſon. If Parliament aſſume a power of diſpenſing at pleaſure with the laws moſt eſſential to the liberty and ſafety of the ſubject, who is ſecure? Sir John Fenwick may not indeed be a good Engliſhman, yet his cauſe may be the cauſe of a good Engliſhman. Shall it be ſaid that there

thiſes danger to the Government from ſuffering Sir John Fenwick to eſcape in conſequence of a deficiency of evidence, and at the ſame time forget the danger to ourſelves, which will be incurred from the conviction of Sir John Fenwick under that deficiency of evidence? Is it a propoſition to be endured, that the Conſtitution muſt be weakened, in order that the Government may be ſtrengthened? Who is Sir John Fenwick, that ſuch alarm and apprehenſion ſhould be excited in the poſſible event of his enlargement? Even the Regicides, notwithſtanding the notoriety of the fact charged upon them, were admitted to the benefit of a trial by the known laws of the land; and did not ſuffer without a previous conviction on the faireſt and fulleſt evidence. As to bills of attainder in former Parliaments, many no doubt had paſſed, but not without heavy cenſure in all caſes where the perſons attainted were neither fugitives nor outlaws, but ready perſonally to appear, and deſirous to abide the iſſue of a regular trial. In the glorious and memorable times of Elizabeth, however, it was remarked that not a ſingle bill of attainder had paſſed. And though continually haraſſed with plots and conſpiracies, the wiſdom of that reign knew how to maintain the honor and ſafety of the Government without having recourſe to ſuch odious expedients. We can tell at preſent on what ground we ſtand; for by the Statute of Edward III. we know what is treaſon; by the two Statutes of Edward VI. and the late Act of Treaſon, we know what is proof; and by the Statute of Magna Charta we know how we are to be tried—by the law of the land, and the judgment of our peers. But if bills of attainder come into faſhion, we ſhall neither know what is treaſon, what is evidence, nor how nor where we are to be tried. In a trial of this nature, if it deſerves the name, the two characters of Judges and Jurymen are confounded; there is no power of examining upon oath; there is an ultimate power of condemnation, without a correlative ultimate power of acquittal. It is the province and duty of a Judge, as Lord Coke ſays, *diſcernere per legem.* If Judges make the law their rule, they can never err; but if the uncertain arbitrary dictates of their own fancies, which Lord Coke calls "the crooked cord of diſcretion," be the rule they follow, endleſs errors muſt be the effect of ſuch judgments. Even ſuppoſing

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posing in the present case Sir John Fenwick guilty; the mode of trial being itself iniquitous, his blood is unjustly spilt.

Such is the substance of the arguments used on each side, in the discussion of this celebrated bill; but blended with the bitterest effusions of passion and personality. Sir Edward Seymour closing his speech against the bill with these words: "I am of opinion with the Roman, who, in the case of Catiline, declared he had rather ten guilty persons should escape, than one innocent suffer"—General Mordaunt in reply remarked, "that the Honorable Member seemed not to recollect that the Roman who made this declaration was suspected of being a conspirator himself." Another Member of the House, Mr. Manley, having in relation to the bill with vehemence exclaimed, "that it would not be the first time they had reason to repent making court to the Government at the hazard of the liberties of the People;" such was the clamor raised against him, that he was by an immediate vote of the House, which refused to accept any explanation, committed prisoner to the Tower. Upon the whole, it appeared that the arguments of the opponents of the bill made great impression both in and out of the House. The first division on the motion for leave to bring in the bill was 179 voices to 61: and the bill was finally passed by 189 voices against 156. It was then transferred to the Lords, where it occasioned another vehement contest; and it was ultimately carried on a still closer division of 68 Lords against 61; forty-one of whom subscribed a strong protest against the bill. The impolicy of the Whigs was manifest in thus affording their antagonists the Tories an opportunity, which they eagerly embraced, of appearing in the advantageous light of the advocates and defenders of the Constitution. For, however romantic it may be to deny the abstract principle, that there are extraordinary cases which justify extraordinary deviations from established rules; yet cannot the concluding observation of the Lords' protest be justly controverted, "that Sir John Fenwick is so inconsiderable a man, as to the endangering the peace of the Government, that there needs no necessity of proceeding against him in this extraordinary manner."

A cir-

A circumſtance which tends to invelop the evidence of Fenwick reſpecting the great leaders of the Whig party in deeper obſcurity is, that the Earl of Monmouth had, as we are informed by Biſhop Burnet, expreſſed a too vehement concern leſt he ſhould be mentioned amongſt the correſpondents of the Court of St. Germaine's; but, finding himſelf ſecure, he gave ſecret encouragement to Fenwick to *perſiſt* in his diſcoveries againſt the Earl of Shrewſbury; and reſenting his refuſal—Fenwick having already, as he repeatedly aſſerted, told all he knew—Monmouth made a ſpeech of great length and vehemence in the Houſe of Lords, in favor of the Bill of Attainder. Upon which Fenwick, impelled by anger and revenge, in his turn revealed to the Houſe, on a ſubſequent examination moved by Lord Carliſle at his deſire, the baſe and ſiniſter practices of Monmouth; who was thereupon committed to the Tower, and diſmiſſed from his employments. But he was ſoon releaſed, with a ſlight cenſure only—the King not wiſhing to have the matter farther inveſtigated. He even ſpoke to Biſhop Burnet to do all he could to ſoften the cenſure; which he readily complied with, "not knowing," as he ſays, "what new ſcene of confuſion might have been opened by him in his own excuſe."

The Bill of Attainder received the Royal aſſent early in January 1697; and Sir John Fenwick, finding that there was no mercy in reſerve for him, prepared with fortitude to meet his approaching fate. And notwithſtanding the proofs of weakneſs and puſillanimity which he had previouſly ſhewn, he reſigned himſelf to the ſtroke of death with calmneſs and compoſure. On account of his rank and noble connection, his ſentence was changed to decapitation, which he ſuffered on Tower-hill, January the 28th, leaving in the hands of the Sheriff a paper containing, with a denial of ſome circumſtances, a virtual confeſſion of the ſubſtance of the charges adduced againſt him; and "praying GOD to bleſs his true and lawful Sovereign King James; and to reſtore him and his poſterity to the throne again, for the peace and proſperity of the Nation."

The ſeſſion of Parliament terminated on the 16th of April 1697, the King declaring, as uſual, his intention to embark ſpeedily for the Continent.

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nent. Previous to his departure, he introduced the Earl of Sunderland, who had long been known covertly to influence his councils, once more to a conſpicuous ſtation in public life, by appointing him to the office of Lord Chamberlain, vacant by the reſignation of the Duke of Dorſet. This Nobleman was at the ſame time ſworn of the Privy Council, and conſtituted one of the Lords Juſtices during the abſence of the King. The Lord Keeper Somers was created a Peer, and advanced to the dignity of Chancellor of Great Britain; and Admiral Ruſſel was made Earl of Orford, and continued to occupy the poſt of Firſt Commiſſioner of the Admiralty, with powers little inferior to thoſe uſually veſted in a Lord High Admiral.

Negotiations relative to peace.

The Maritime Powers being at length ſeriouſly diſpoſed to liſten to the pacific overtures of France; a joint memorial was preſented to the Court of Vienna by the Ambaſſadors of England and Holland, early in the preſent year 1697, to entreat his Imperial Majeſty to accept the mediation of Sweden without reſerve, and name a place for holding the Congreſs. In conſequence of this propoſition, the Emperor deigned to ſignify, in cold and haughty terms, his acquieſcence: and the Miniſters and Ambaſſadors of the Allied Powers, excepting Spain, who affected to ſtand aloof, as if able ſingly to vindicate her own rights and to maintain her own ſeparate intereſts, being aſſembled at the Hague, February 1697, M. de Callieres, in the name of his Moſt Chriſtian Majeſty, offered to confirm and re-eſtabliſh the treaties of Weſtphalia and Nimeguen as the baſis of the preſent pacification; to reſtore the city of Straſburg to the Empire, and Luxemburg to Spain, or an equivalent for each; to reſtore Mons, Charleroy and the places captured in Catalonia to Spain, in the ſtate in which they were taken, and the town and caſtle of Dinant to the Biſhop of Liege; to annul all the decrees of re-union made ſince the concluſion of the peace of Nimeguen; to reſtore Lorraine according to the conditions of the ſaid treaty; and to recognize the Prince of Orange as King of Great Britain. Theſe were great and ample conceſſions; and ſuch as fully demonſtrated the ſincerity of the King of France, and his earneſt deſire to give ſatisfaction to the different powers of the Alliance. The Em-

peror, however, ſtill appeared actuated by ſullen and angry diſcontent. He inſiſted, in a memorial delivered to M. Callieres, not only on the re-eſtabliſhment of the Treaties of Weſtphalia and Nimeguen in their full extent, according to the explanation of Nuremburg, but on the unconditional reſtitution of Lorraine to the Duke, of the caſtle and duchy of Bouillon to the Elector of Cologne; and with reſpect to Spain, to place all things on the baſis of the Treaty of the Pyrenees. And in a ſubſequent memorial, delivered April the 10th to the Swediſh Ambaſſador as mediator, ſtyled the Ulterior of his Cæſarean Majeſty, the ſame extravagant demands are renewed—with the addition of the inſulting declaration, "that his Imperial Majeſty would not have conſented to accept the mediation at all, if the King of Sweden had not conſented to guaranty the preceding declarations of France."

The death of the Swediſh Monarch Charles XI. which happened at this period, did not impede the progreſs of the negotiation; the Ambaſſador Mediator declaring, "that his late Royal Maſter had perſevered to the laſt in his purpoſe of fulfilling the promiſed guarantee. And feeling the approach of death, he had earneſtly recommended the ſame thing to his ſucceſſor: and that his Majeſty now reigning had inherited the ſame inclinations and attachments, and deſired to manifeſt the ſame ſincerity in all things." The Emperor and Spain at length, through the urgent and repeated inſtances of Sweden and the Maritime Powers, agreed to open the conferences in form; and the Congreſs was transferred from the Hague to the village of Ryſwick, where King William had a palace, which now became the ſeat and centre of political intrigue and negotiation. There many ſucceſſive weeks and months paſſed away in unavailing diplomatic diſcuſſion and altercation.

Congreſs opened at Ryſwick.

But while the Allied Potentates affected to give law to France in the Cabinet, the armies of that formidable power, taking advantage of theſe impolitic delays, were ſucceſsfully exerting themſelves in making new acquiſitions and conqueſts. And on the arrival of the King of England in Holland, he received the unwelcome intelligence, that the town of

Campaign in Flanders.

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The oppoſite armies lying very near to each other, in the vicinity of Bruſſels, the attention of the public was powerfully excited by the repeated interviews of the Earl of Portland and Marechal Boufflers, who, leaving at ſome diſtance their trains of officers and attendants, met by agreement in the plain of Halle, in the ſight of the two camps; and at the laſt of theſe conferences the two military negotiators retired to a cottage, where they ſigned the articles previouſly concluded on. It was then ſignified to the Plenipotentiaries at Bruſſels, that the King of England had adjuſted his *ſeparate concerns* with France; and William immediately retired from the camp to his palace at Loo.

What were the preciſe ſubjects of the conferences of Halle, and what the ſeparate articles agreed to, has been the ſubject of much curious ſpeculation. Biſhop Burnet informs us, that the Earl of Portland himſelf told him, that it was then and there ſtipulated, that the King of France ſhould give the late King James no aſſiſtance, and the reigning Monarch no diſturbance upon his account; that James ſhould retire to Avignon or Italy; and that the Queen's jointure of 50,000l. per annum ſhould be paid as to a Dowager—James being conſidered as dead in law. This account is corroborated by M. de Torcy, who from the information of M. Boufflers ſays, "that, for the farther ſecurity of his maſter, the Earl of Portland demanded that this unfortunate Prince ſhould be obliged to remove from France, and to follow his unpropitious ſtar to Rome, or whatever other part of the world he choſe." This condition not being in the ſequel complied with by James, the jointure was of courſe with-held. On the

the other hand, M. Boufflers, as M. de Torcy tells us, inſiſted that a general Act of Grace ſhould be granted to the Engliſh who had followed the fortunes of King James, and that they ſhould be reſtored to the poſſeſſion of their eſtates—alſo, that none of the ſubjects of the French King ſhould be allowed to enter, or to ſettle in, the city of Orange; becauſe his Majeſty foreſaw that the new converts, ſtill attached to their former errors, would flock to the provinces bordering upon Orange, and, if leave was given them, would ſettle there *." It farther appears from the Memoirs of King James recently publiſhed, that the King of France propoſed to the King of England to obtain a parliamentary ſettlement of the Crown after his deceaſe upon the nominal Prince of Wales, a child not as yet nine years of age; and that William did not indicate any averſion to reſtore the Prince to that inheritance of which he had been deprived by the extreme, and, in relation to him, unmerited rigor of fortune. The overture made to the Engliſh Monarch was conſonant to the generoſity of his nature; and it ſeemed no leſs agreeable to the principles of policy than of juſtice, as it obviated the dangers to be apprehended from a diſputed ſucceſſion: and the King owed no obligation to the Princeſs of Denmark, whoſe perſonal intereſts were of little moment in his eſtimation. But on the communication of this project to James he oppoſed it with great vehemence. He ſaid, "he could not ſupport the thoughts of making his own child an accomplice to his unjuſt dethronement: he could ſuffer with chriſtian patience the uſurpation of the Prince of Orange, but not that of his own ſon. Should even the Prince of Orange," ſaid the abdicated Monarch in a letter addreſſed to the King of France, "induce the Parliament of England to repeal the Act of Settlement, it would be always on condition of having the Prince of Wales placed in their hands, without their being able to give any ſecurity either for his perſon or his conſcience." Moſt undoubtedly King William could not for a moment entertain the idea of reinſtating the Prince, but on the condition of his reſidence in England for the purpoſe of education; a conceſſion he could ſcarcely expect from the known bigotry of James. We have alſo the authority of the Duke of Berwick for this remarkable

* Torcy, vol. i. p. 25.

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fact, who, in the Memoirs of his life *, relates, that on the propoſition in queſtion being made by the King of France, the Queen, being preſent at the converſation, would not allow her huſband time to anſwer, but paſſionately declared, "that ſhe would rather ſee her ſon dead than in poſſeſſion of the Crown to the prejudice of his father." The idea of his being educated a Proteſtant, filled them with horror; and, perſuaded that the acquiſition of a temporal muſt be attended with the loſs of a celeſtial crown, they declined without heſitation an offer which appeared to them ſo extremely diſadvantageous.

The campaign on the Rhine, on the banks of which vaſt armies were every year regularly aſſembled, paſſed like ſeveral of the preceding ones in almoſt total inaction. The chief effort of the French this ſummer was made in Catalonia: for the Court of Verſailles, being fully aware that the pride of Spain was the grand obſtacle in the way of peace, was reſolved to convince them how unable they were to carry on the war, unſupported by thoſe allies they now affected to neglect or contemn. Towards the end of May, the Duc de Vendome advanced at the head of a powerful army towards Barcelona; and the Spaniards retiring at his approach, the city was inveſted on the 12th of June; and the coaſt being no longer defended by an Engliſh fleet, the Count D'Eſtrées, with a ſquadron of men of war and galleys, at the ſame time blockaded the port. The Prince of Heſſe Darmſtadt, Governor of Barcelona, made an able and reſolute defence; but the place, after a ſiege of nine months, was compelled to capitulate; and the Court of Madrid, by a loſs ſo great and unexpected, was thrown into the utmoſt conſternation.

Barcelona taken by the French.

Intelligence if poſſible ſtill more alarming reached them nearly at the ſame moment. In the beginning of the year the French Court had diſpatched a ſquadron from Breſt to the Weſt Indies, with a view to ſeize the Spaniſh Plate fleet. M. de Pointis the commander, finding on his arrival at St. Domingo that the galleons had already reached the Havanna, proceeded to Carthagena; of which, after a ſtout reſiſtance, he made himſelf maſter, and found in it an immenſe booty in ſpecie and merchandize, to

* Memoirs of the Duke of Berwick, vol. i. p. 157.

the

the amount, as De Pointis ſays in his account, of eight millions of crowns. The French evacuated the place after demoliſhing the principal fort, and ſtood to ſea with their plunder. Shortly after he left Carthagena, he fell in with the Engliſh fleet, cruizing in thoſe ſeas, near the Streights of Bahama, and much ſuperior in force. But by favor of the winds he had the good fortune to eſcape, after a long and dangerous chaſe.

Victory over the Turks at Zenta.

Theſe events cauſed the Spaniſh Court extremely to lower the loftineſs of its tone, and much facilitated the concluſion of the treaty. The reluctance of the Emperor ſtill remained to be ſurmounted. The campaign in Hungary had this year been in the higheſt degree glorious to the Imperial arms. Prince Eugene of Savoy, already conſpicuouſly diſtinguiſhed by his talents and conduct in the Italian war, was, by a happy choice, appointed Commander in chief of the Imperial Armies on the Danube. The Grand Seignor again took the field in perſon; and his firſt motions indicating a deſign of penetrating into Tranſylvania and the Upper Hungary, Prince Eugene advanced by forced and rapid marches to cover the important fortreſs of Peterwaradin, apparently menaced by the Turks. The Grand Seignor, probably deſpiſing the youth and inexperience of the new General, halted at Zenta, and threw a bridge over the Theyſſe, which he paſſed with his cavalry, leaving his infantry open and expoſed to an attack on the other ſide. The Prince in the ſame moment ſaw and ſeized the advantage. Whilſt the cavalry were ſtill confuſedly paſſing, and two hours of day-light only remained, the Imperial troops came up, and inſtantly charged the enemy with a ſpirit and vigor which ſufficiently ſhewed the confidence they felt in their commander. In a ſhort time all was diſmay on the part of the Ottomans; and the tokens of an abſolute rout became viſible throughout the field. Retreat ſoon changed into flight; and, no quarter being given, the carnage was terrible. The bridge, which all endeavored to gain, was choked up with dead bodies, and thouſands threw themſelves into the river to avoid the fury of the ſword. Of the enemy's camp, all the tents, not excepting the magnificent pavilion of the Grand Seignor himſelf, all their ſtores, ammunition, and proviſions, 130 pieces of cannon, ſeveral hundred pairs of colours, 6000 camels,

5000

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5000 horſes, &c. &c. Prince Eugene remained maſter. The Grand Seignor ſaved himſelf by flight, which the night favored. But the Grand Vizier was killed, and the ſeal of the empire preſented to the conqueror. The Aga of the Janizaries and twenty-ſeven Baſhaws were found alſo among the dead, the number of whom was ſaid to exceed 30,000, including thoſe drowned in the Theyſſe; while the loſs of the Germans amounted to little more than 2000 men. His Imperial Majeſty, on receiving this intelligence, immediately diſpatched a courier to the States General, with a letter written in his own hand, acquainting them with the news of this deciſive action, which he hoped would have induced them to retard, perhaps to break off, the negotiation. But the meaſures of their High Mightineſſes, concerted with the King of England, were unalterably fixed; and they received the news of this great victory with cold indifference, if not rather with ſecret vexation.

Death of Sobieſki.

The intrigues of the Court of Vienna in Poland, at this period, were productive of no leſs ſatisfaction to the Emperor than the ſucceſs of his arms in Hungary. One of the moſt ſignal events of the preceding year was the death of the celebrated John Sobieſki, King of Poland, whoſe latter days caſt a ſhade over the ſplendor of his former fame. On his demiſe the kingdom was as uſual diſtracted by the rage of oppoſing factions. The candidates for the vacant Crown were very numerous. The Duke of Lorraine, the Princes of Baden and Neuberg, and Don Livio Odeſchalchi, nephew to the late Pope Alexander VIII. were amongſt the earlieſt competitors for this tempting prize; but, finding their weakneſs, ſoon withdrew their pretenſions. And the conteſt was then confined to Prince James, eldeſt ſon of the late King, the Prince of Conti, and Auguſtus Elector of Saxony, who was the laſt to declare himſelf. The Abbé Polignac, Ambaſſador of France at Warſaw, had, by great addreſs and laviſhing vaſt ſums of money, ſecured, as was thought, a decided majority of votes in favor of the Prince of Conti. But Prince James, perceiving the proſpect of ſucceſs hopeleſs as to himſelf, was prevailed upon to throw his intereſt into the ſcale of the Elector of Saxony, who by this means greatly outnumbered his antagoniſt the Prince of Conti. But the

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Archbiſhop of Gneſna, Primate of Poland, whoſe office it was to declare the election, being in the intereſt of France, proteſted againſt the compromiſe as a colluſion, and proclaimed the Prince of Conti. Repairing forthwith to the cathedral, he cauſed Te Deum to be ſung for an act which threatened to involve the kingdom in a civil war. On the other hand, the Biſhop of Cujavia proclaimed the Elector King of Poland, and ſung Te Deum on the ſpot; and the new King afterwards made his entry in triumph into Warſaw. The Prince of Conti, on his ſubſequent arrival, found his opponent already in poſſeſſion of the kingdom; and after a ſhort and ineffectual ſtruggle he was compelled to return full of chagrin and reſentment to France. The Elector of Saxony was under the diſgraceful neceſſity of changing his religion, in order to qualify himſelf to fill the throne of Poland; and from this æra the houſe of Brandenburg acquired the great political advantage of being regarded as the head of the Proteſtant intereſt in Germany, while the ſtrength and riches of Saxony were exhauſted, to enable the Elector King to maintain poſſeſſion of a crown, which proved to be a crown of thorns.

During the negotiations at Ryſwick, the Court of St. Germaine's amuſed itſelf by publiſhing a ſucceſſion of Manifeſtoes, of which no one condeſcended to take the ſlighteſt notice. In a Memorial addreſſed to all the Princes and Powers of Europe, dated June 8th, 1696, King James ſolemnly proteſts againſt all that ſhould be concluded to the prejudice of his *inconteſtable rights*. "We beſeech," ſays this forlorn and abandoned Monarch, "thoſe Princes to conſider how dangerous the example they give may prove to themſelves; and that the caſe of all Sovereigns is implicated in ours. We make it our *demand*, that they would contribute to re-eſtabliſh us in our kingdoms; that they would reflect on the glory they would derive from a reſolution ſo conformable to the intereſts of thoſe who have an inheritance in their dominions.——In concluſion, he denounces as utterly invalid, all Acts which directly or indirectly confirm, authoriſe or approve the uſurpation of the Prince of Orange, the Acts of his pretended Parliament, and all others tending to reverſe the fundamental laws of the realm touching the order of ſucceſſion; reſerving

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reſerving all his regal rights and claims, which do remain, according to the words of the inſtrument, and ſhall remain in their full force, and which no extremity ſhall oblige us to renounce or compound." James had, through the medium of his Ambaſſador the Earl of Perth, ſolicited the Pope to exert his influence with the Catholic Princes, to prevent any peace being made injurious to his intereſts, which the Ambaſſador ſaid would be a ſtain upon his Holineſs's reputation, and a reflection upon the Apoſtolic Chair. The Pope acknowledged this to be true. "But what (ſaid he) can we do? The Catholic Princes will not hearken to me: they have loſt the reſpect that uſed to be paid to Popes. Religion is gone, and a wicked policy ſet up in its place. The Prince of Orange is maſter: he is arbiter of Europe. The Europeans and the King of Spain are ſlaves, and worſe than ſubjects to him: they neither will nor dare venture to diſpleaſe him:"—and here he ſtruck twice with his hand upon the table, and ſighed. "If God," ſaid he, "do not by ſome ſtroke of omnipotency do it, we are undone!" In a ſubſequent diſpatch the Earl of Perth declares it to be ſcandalous to hear the compariſons publicly made between an heretical, unnatural, uſurping Tyrant and his Majeſty.——It is the common converſation at Rome, that the Prince of Orange muſt be a great man, who never gives over, but puſhes on, though repelled again and again; and that, at laſt, ſuch a one muſt accompliſh his deſigns.—Macpherſon's Papers, vol. i. p. 533.

Treaty of Ryſwick ſigned.

On the 20th of July, the Ambaſſadors of France delivered in a paper of far different magnitude and moment—being the *Ultimatum* of that Court, which varied very little from the preliminary conceſſions. And animated by the recent ſucceſs of their arms, a declaration was made, "that it was to be accepted by the laſt day of Auguſt; or, if not, ſhe ſhould hold herſelf as much at liberty to recede, as the Allies to refuſe." But the Count de Kaunitz, the Imperial Ambaſſador, proteſted that he would pay no regard to that limitation. On the 30th of Auguſt, nevertheleſs, the Count delivered to the Mediator a paper, ſignifying the concurrence of his Court in the terms propoſed, but refuſing the equivalent offered for Straſburg. Far from making any farther conceſſion, the

French

French Ambaſſador declared, "that, the term preſcribed for the acceptance of the Ultimatum being now expired, all his offers were vacated—that therefore the King of France would reſerve Straſburg, and unite it, with all its dependencies on this ſide the Rhine, to his Crown for ever—that in other reſpects he would adhere to the Projêt, and reſtore Barcelona to the Crown of Spain; but that theſe terms muſt be accepted in twenty days, otherwiſe he ſhould think himſelf at liberty to refuſe." In conſequence of this peremptory declaration, on the 20th of September 1697, at midnight, the articles were ſigned by the Engliſh, Dutch, Spaniſh and French Miniſters, notwithſtanding all the arguments and remonſtrances of the Imperial Ambaſſador againſt it; and on almoſt preciſely the ſame conditions which were offered by France eight months before.

Notwithſtanding the refractory conduct of the Court of Vienna, not only was the negotiation between France and the Emperor ſtill continued, but an armiſtice concluded; and the Imperial Ambaſſador at length declared the willingneſs of the Emperor to accept an equivalent for Straſburg, if to Fribourg, Briſac, Kehl and Philipſburg already offered by France, were alſo added Landau, Fort Louis, Saar Louis and Mont-royal, with a requiſition of ſome farther conceſſions reſpecting Lorraine. This extravagant demand being rejected rather with contempt than anger on the part of France; the Cæſarean pride at length condeſcended to ſign the Articles of the Peace on the 30th of October —the Confederate Powers having previouſly ſtipulated that the Emperor and the Empire ſhould be allowed to the 1ſt of November to notify their acceſſion to the treaty. In one of the articles of this treaty it was ſettled, that in the places to be reſtored by France the Roman Catholic religion ſhould continue as it had been eſtabliſhed. The Proteſtant Princes of the Empire, with the Elector of Brandenburg at their head, demanded that the Lutheran religion ſhould be reinſtated in its former rights; but this requiſition was of no avail, being equally diſagreeable to the Courts of Verſailles and Vienna. They then refuſed to ſign the treaty, and joined in a formal proteſt againſt this article. The King of France ſeemed to value himſelf not a little upon this proof of his

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piety and zeal for the intereſts of the Catholic Church—for, in his mandate to the Archbiſhop of Paris to cauſe Te Deum to be ſung at Notre Dame on the exchange of the ratifications, he ſays, "The moment appointed by Heaven to reconcile the Nations is arrived. Europe is at peace. The ratification of the treaty which my Ambaſſadors had concluded with thoſe of the Emperor and the Empire has rendered that peace perfect. Straſburg, one of the principal ramparts of the Empire and of HERESY, for ever united to my Crown—the Rhine made the barrier between France and Germany; and, what touches me ſtill more nearly, the worſhip of the true religion authoriſed by ſolemn ſtipulation within the very walls of ſovereigns of a different religion, are the advantages of this laſt treaty."

The King of England returned from the Continent in the month of November, and was received in the metropolis with every demonſtration of loyalty and ſatisfaction; and addreſſes of congratulation were preſented from every part of the kingdom, on the concluſion of a peace, the fair and reaſonable terms of which were juſtly aſcribed throughout Europe, not to the moderation and equity of Louis XIV. who had given during his reign ſo many proofs of unbounded and unprincipled ambition, but to the wiſdom, fortitude and reſolution of the King of England, who would liſten to no conditions which left France in poſſeſſion of its inſolent claims and unjuſt encroachments. Even Luxemburg, the favorite acquiſition of the Moſt Chriſtian King, was reſtored without reſerve to Spain, a full equivalent made for Straſburg, and all thoſe *re-unions* in Germany and the Low Countries relinquiſhed, which had formed the original ground for entering into this long and bloody conteſt.

Seſſion of Parliament.

The Parliament met on the 3d of December 1697; and the King expreſſed his ſatisfaction that the war into which he had entered by the advice of his People, was at length terminated by an honorable peace. In the courſe of his ſpeech he pronounced the circumſtances of affairs abroad to be ſuch as to oblige him to declare his opinion, that, FOR THE PRESENT,

England

England could not be ſafe without a land force: "and I hope," ſaid the Monarch, "that we ſhall not give thoſe who mean us ill the opportunity of effecting that under the notion of a peace, which they could not bring to paſs by a war." BOOK III. 1697.

This paragraph of the King's Speech threw the Parliament and the Nation into the higheſt ferment. It plainly indicated the King's predetermination to maintain a ſtanding army in time of peace—a thing odious to the friends of freedom; and which was in this country unknown and unattempted by any of our Sovereigns till the late reign, when it was directed to the worſt of purpoſes. The revival of this execrated project was univerſally aſcribed to the Earl of Sunderland; who, in the inſignificant poſt of Lord Chamberlain, acted as Firſt Miniſter—and whoſe pernicious counſels were, by a ſtrange fatality, with no leſs eagerneſs embraced by the preſent than the former Monarch. The Commons in their Addreſs, which was framed in very high terms of reſpect, congratulating his Majeſty as having by the late honorable and advantageous peace completed the glorious work of national deliverance, preſerved a profound ſilence on this topic. And when the queſtion came within a few days to be debated in the Houſe; the Patriots and Anti-courtiers, exerting their united ſtrength, carried, on a diviſion of 185 Members againſt 148, of whom 116 were placemen, a reſolution importing that all the forces raiſed ſince the year 1680 ſhould be diſbanded. By this vote, the whole number of troops to be maintained did not exceed 8000 men. "A ſtanding army was affirmed to be inconſiſtent with a free Government, and abſolutely deſtructive of the Engliſh Conſtitution. A STANDING ARMY ONCE ESTABLISHED, WAS ESTABLISHED FOR EVER: and the records of every country and of every age had ſhewn that the eſtabliſhment of a military force had been ever fatal to liberty. A People are no longer free when the ſword is wreſted out of their hands, and transferred to an army of mercenaries. If the people have not a power within themſelves to defend themſelves, they are no free nation. It is an opinion profeſſed by the famous Machiavel, and which he undertakes to prove in form, that the Prince ought not to

Vote of the Houſe of Commons for diſbanding the army.

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ſuffer the people to acquire the knowledge of arms. No writer, it was ſaid, had ever treated on the ſubject of a free government, without expreſſing his deteſtation of a ſtanding army. 'Whoever,' ſays Lord Bacon, 'doth uſe them, though he may ſpread his feathers for a while, will mew them ſoon afterwards.' In a word, if a ſtanding army is once eſtabliſhed, all that the Nation has gained by the Revolution is a precedent in favor of reſiſtance, which they would never be permitted to have the benefit of any more."

Reſignation of Sunderland.

The popularity of the Miniſters ſuffered greatly by this unſucceſsful attempt; and the moſt ſevere and bitter reflections were thrown out in the Houſe of Commons at Lord Sunderland, who, as was univerſally believed, originally ſuggeſted, or at leaſt encouraged and incited this obnoxious project. One ſtriking feature of the character of Sunderland appears to have been puſillanimity. His daring and ambitious deſigns were governed and regulated by an anxious and inceſſant attention to his perſonal ſafety. He knew himſelf to be deteſted by the Tories and diſtruſted by the Whigs, who on the preſent occaſion joined in what might be ſtyled the national clamor againſt him. Dreading the diſgrace, and, what was to him far worſe, the danger of parliamentary cenſure, he reſolved upon a reſignation of his office of Lord Chamberlain, to the infinite chagrin of the King, who "earneſtly deſired," to uſe the expreſſion of Biſhop Burnet, "that he would continue about him." But the ſagacity of Sunderland ſaw a ſtorm ariſing which he had not courage to encounter. The poſt of Chamberlain was kept vacant near two years, in the hope doubtleſs of his re-acceptance; during which interval it was ſuppoſed he received the emoluments of the office: but the ſucceeding events of the reign were not ſuch as would incite him to reſume it.

The King was beyond meaſure mortified and diſpleaſed at the late reſolution of the Houſe of Commons. Conſcious of the integrity of his own views, and convinced of the propriety and neceſſity of the recommendation in his ſpeech, he conſidered the refuſal of the Houſe in the light of a perſonal and public affront. He told the Biſhop of Sarum, "that

"that he thought it would derogate much from him, and render his alliance ſo inconſiderable, that he doubted whether he could carry on the Government after it ſhould be reduced to ſo weak and contemptible a ſtate. He ſaid, that if he could have imagined, that, after all the ſervice he ſhould have done the Nation he ſhould have met with ſuch returns, he would never have meddled in our affairs. And that he was weary of governing a Nation that was ſo jealous as to lay itſelf open to an enemy, rather than truſt him who had acted ſo faithfully during his whole life that he had never once deceived thoſe who truſted him." Forcible and acute as his feelings were upon this occaſion, he abſtained from all public indications of ſpleen or diſcontent; and the Commons, who appeared to have acted from the moſt upright and patriotic motives, to ſoften the unavoidable harſhneſs of a reſolute noncompliance in a matter of ſo great moment, now granted the King, what he had formerly placed much ſtreſs upon, a revenue for life, and raiſed the civil liſt to the ſum of 700,000 l. per annum.

Affairs of the East India Company.

Early in the year 1698, the old conteſt between the East India Company and the Aſſociated Merchants who had ſhewn themſelves ſo eager to ſupplant them, was revived with undiminiſhed animoſity. It had been intimated to the Company at one of their General Courts, by perſons ſuppoſed to be in the confidence of Miniſters, that, in conſideration of a loan to be advanced by them to Government at a low intereſt, their charter might now be renewed, and a monopoly of the trade ſecured to them. Too haſtily believing all oppoſition at an end, they received this propoſition with unexpected coolneſs; on which Mr. Montague, Chancellor of the Exchequer, ſet on foot a negotiation with the Merchants their antagoniſts. No ſooner was this intelligence conveyed to them, than they made an offer of the ſum of 700,000 l. at the low intereſt of 4 per cent. But the oppoſite party had already cloſed with the terms of Mr. Montague, and agreed to advance the ſum of no leſs than two millions at 8 per cent. to Government, in conſideration of a new charter ſecuring to them an excluſive trade to India; and in the month of May a Bill was ordered to be brought into the Houſe conformable to theſe conditions.

The

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The exiſting Company, now fully rouſed, and in the higheſt degree alarmed, made their appeal to the juſtice and equity of the Parliament, repreſenting "their rights and claims under a ſucceſſion of charters, particularly the laſt, no forfeiture of which either had been or could be pretended. They urged the regard due to the property of above a thouſand families intereſted in their ſtock, eſpecially of the new adventurers, who had ſubſcribed, agreeably to the Reſolutions of Parliament, no leſs a ſum than 744,000 l. on the credit and faith of the new Charter. They alleged that they had expended upwards of a million ſterling in their buildings and fortifications in India; that during the war they had loſt twelve ſhips, worth 1,500,000 l. They ſtated the great ſums they had paid in cuſtoms and taxes, and the ſervices they had rendered to Government in the circulation of Exchequer bills, and in various other reſpects, which were at the time acknowledged to be ſeaſonable and important. And they obſerved it was the conſtant cuſtom in farms, bargains, and offers of the like nature, not to cloſe with a new propoſal till the firſt bidder be aſked whether he is able to advance farther. For though a power was reſerved to the King, by a clauſe in the laſt charter, to diſſolve the Company upon three years' notice, it could never be imagined that this power would be arbitrarily or capriciouſly exerciſed; and no apprehenſion had been entertained that ſuch diſſolution would take place in favor of a ſet of *interlopers*, but in conſequence of ſome culpability chargeable on the Company, or ſome injury ſuſtained by the Nation."

To this the advocates for the new Company replied, "that the charter upon which the exiſting Company laid ſo great ſtreſs was well known to have been obtained by indirect and corrupt means, as the vaſt ſums paid out of the Company's ſtock for *ſpecial ſervice*, agreeably to actual depoſitions at the Board of Council, and the Reports of the Houſe of Commons, clearly proved—that the charter was in itſelf illegal and void, as the perſons they were pleaſed to ſtyle *interlopers* demonſtrated before the late Queen and Privy Council—the Crown having no power to grant any ſuch excluſive commercial monopoly. That in Queen Elizabeth's time a variety of ſimilar patents or charters of monopoly had been, in conſe-

quence

quence of the repreſentations of Parliament, revoked and cancelled; and that it was never deemed a breach of public faith, or any derogation from the honor of the Crown, to annul by Act of Parliament ſuch grants as were thought by the Great Council of the Nation not to be profitable, or to be againſt the common right of the ſubject. That, by *deluding* a number of perſons into a new ſubſcription to the amount of ſeveral hundred thouſand pounds in the then condition of the Company's affairs, they were guilty of a fraud upon the public; though the ſubſcribers themſelves were little entitled to compaſſion after the repeated warnings they had received. And that it might be preſumed from the ſevere notice which had been taken of the delinquencies of the Directors in Parliament, that, if the greater affairs of the Nation had not been ſo urgent, they would have had ſuch juſtice done them as would have effectually precluded all complaints of that imaginary injuſtice to which they now ſtood expoſed."

It is material to obſerve, that from the commencement of this intricate inveſtigation the Tory intereſt greatly predominated amongſt the Members of the Old Company, and that the Aſſociated Merchants were chiefly or entirely Whigs; ſo that this was in fact a political as much or more than a commercial conteſt. And the different Adminiſtrations of this reign being themſelves compoſed of heterogeneous materials; the arguments for or againſt the eſtabliſhment of a new Company, were found to be more or leſs convincing, as Whigs or Tories acquired the aſcendency in Parliament or the Cabinet. At this period the Whigs poſſeſſed the chief ſhare of power and influence; and in the buſineſs of finance, in particular, Montague, though only Chancellor of the Exchequer, was much more regarded than Lord Godolphin, a Tory, who filled, and with great knowledge and integrity, the poſt of Firſt Lord of the Treaſury. Under the powerful patronage of Montague, therefore, the Bill for the eſtabliſhment of the new Company finally paſſed the Houſe of Commons, and was ſent up to the Lords, where it had the ſame ſpecies of oppoſition to encounter. The queſtion for the ſecond reading of the bill was carried by 65 voices againſt 48: twenty-one of whom, with Lord Godolphin himſelf at their head, ſigned a vigorous proteſt againſt it.

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it. The Oppoſition had now exerted their utmoſt ſtrength, and the bill, after paſſing through the uſual forms, received the royal aſſent.

Such was the popularity of the new Act, and ſuch the zeal and opulence of its ſupporters, that in three days after opening the ſubſcription-books the whole ſum of two millions was ſubſcribed, contrary to the prediction hazarded by the Proteſters; and to the aſtoniſhment of foreign nations, to whom this incident furniſhed a very ſtriking proof, at the termination of a war of eight years' duration, of the unexhauſted and apparently inexhauſtible reſources of the Britiſh Nation. There were not however wanting many individuals of clear diſcernment, who, riſing ſuperior to the violence and to the prejudice of party, maintained that it was highly irrational to eſtabliſh by law *any* corporation of commercial monopoliſts either foreign or domeſtic.—"In the preſent inſtance, that the Eaſt India Company—whether Old or New, made no difference in the argument—conſtituting in fact only one buyer of all commodities proper for India, and one ſeller of all brought from thence, will endeavor to make themſelves ſo much maſters of the markets in both caſes as to buy and ſell with their own ſtated profits; whereas, private free traders, being ignorant of each others' deſigns, muſt take the markets every where as they find them—and it is moſt certain, that from the year 1653 to 1657, while the trade was free and open, the Dutch Eaſt India Company ſuffered much by the low prices whereat the Indian commodities were ſold by the Engliſh merchants. In the late reigns the Eaſt India Company and the great bankers were thought dangerous to the Nation, by the loans of great ſums made on the credit of the Exchequer only.—And in the preſent reign, the Bank of England was expreſsly reſtrained by law from lending to the Crown otherwiſe than on funds granted by Parliament, with borrowing clauſes authoriſing ſuch loans. But if a new Corporation with ſo great a capital be eſtabliſhed, free from ſuch reſtriction, and at liberty, under pretence of extending its commerce, to increaſe that capital to any amount, without any umbrage of hazard to the Conſtitution, then may the Nation be concluded for ever out of danger from any ſimilar ſource of political abuſe*."

* Vide Letter concerning the Eaſt India Trade.

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The apprehenſions entertained by the moſt enlightened Patriots of this period were but too well founded. Through the medium of the great commercial companies, the creation of that hideous phænomenon, a funded national debt, and the conſequent rapid increaſe of the national taxes, mortgaged for the payment of the annual intereſt accruing to the Stock-holders, the Crown now began to acquire an influence abſolutely unknown to the Conſtitution, and which, advancing with an accelerated velocity, has in the courſe of a century riſen to an height threatening at the preſent moment to involve liberty, property, and the whole ſyſtem of laws, commerce and conſtitution, in one vaſt and remedileſs ruin.

Arbitrary and oppreſſive meaſures embraced reſpecting Ireland.

Complaint being in the courſe of the preſent ſeſſion made of a book written by William Molyneux, Eſq. of Dublin, entitled, "The Caſe of Ireland's being bound by Acts of Parliament in England;" in which the dependence of that kingdom on the authority of the Parliament of England was peremptorily denied; a Committee was appointed to examine the ſame. And on the report of the Committee it was unanimouſly reſolved, "that the ſaid book was of dangerous conſequence to the Crown and the People of England, &c."—and an Addreſs was thereupon preſented to the King, ſtating the bold and pernicious aſſertions contained in the aforeſaid publication, which they declared to have been more fully and authentically affirmed by the votes and proceedings of the Houſe of Commons in Ireland, during their late ſeſſions—and more particularly by a bill tranſmitted under the Great Seal of Ireland, entitled, an Act for the better Security of his Majeſty's Perſon and Government; whereby an Act of Parliament made in England was pretended to be re-enacted, and divers alterations therein made—and they aſſured his Majeſty of their ready concurrence and aſſiſtance in a parliamentary way to preſerve and maintain the dependence and ſubordination of Ireland to the Imperial Crown of this realm—and they humbly beſought his Majeſty, that he would diſcourage all things which might in any degree leſſen or impair that dependence." To which the King replied, "that he would take care that what was complained of might be pre-

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vented and redreſſed as the Commons deſired." Such was at this time the extreme political depreſſion of Ireland, that this haughty procedure of the Engliſh Parliament excited no viſible reſentment on the part of the Iriſh Legiſlature: but a ſpirit very different has ſince ariſen, which has produced great and momentous conſequences; and which, if it be not counteracted by a policy far ſuperior in wiſdom to that which has hitherto characteriſed the reign of the preſent Monarch, muſt unqueſtionably terminate in its final emancipation and ſeparation from the Crown of Great Britain.

The commercial no leſs than the political jealouſy of the Engliſh Parliament being now awakened with reſpect to Ireland; a ſecond Addreſs, no leſs extraordinary in its kind than the firſt, was ſoon after preſented to the King, repreſenting to his Majeſty, "that, being very ſenſible that the wealth and power of this kingdom do in a great meaſure depend on the preſerving the woollen manufacture as much as poſſible entire to this realm, that they thought it became them, *like their anceſtors*, to be jealous of the eſtabliſhment and the increaſe thereof elſewhere, and to uſe their utmoſt endeavors to prevent it—that they could not without trouble obſerve, that Ireland, which is dependent on and protected by England in the enjoyment of all they have, and which is ſo proper for the linen manufacture, ſhould of late apply itſelf to the woollen manufacture, to the great prejudice of the trade of this kingdom—that the conſequence thereof would neceſſitate his Majeſty's Parliament of England to interpoſe, unleſs his Majeſty by his authority and great wiſdom ſhould find means to ſecure the trade of England: and they implored his Majeſty's protection and favor in this matter;—and that he would make it his royal care to diſcourage the exportation and manufacture of wool in Ireland." To this the King with apparent complacency replied, "that he ſhould do all that in him lay to promote the trade of England, and to diſcourage the woollen and encourage the linen manufacture of Ireland." Thus by an abſurd and barbarous policy was Ireland to be for ever debarred, for the ſuppoſed benefit of England, from making uſe of thoſe advantages which GOD and Nature had ſo bountifully

bountifully beſtowed. The Iriſh were indeed permitted to ſhear their flocks, but neither to export nor manufacture the fleeces. Could any natural calamity operate more fatally than ſuch a prohibition? Even to this Ireland ſubmitted with the ſilence and patience of the lamb, which "licks the hand juſt raiſed to ſhed its blood." Nor was it yet foreſeen, that ſhe would one day burſt aſunder with proud indignation thoſe bonds of oppreſſion by which England hoped to retain her in everlaſting dependence and ſubjection.

Theological diſputes.

The violation of the plaineſt dictates of ſocial and political morality is very conſiſtent with the moſt fiery and intemperate zeal for the HONOR of RELIGION; which is indeed too often regarded as an atonement for moral depravity. In the ſad hiſtory of the human mind, we even ſee the deepeſt injuries inflicted by men, blind and bigoted, on each other, on the preſumptuous and impious pretence of "glorifying GOD"—the almighty and beneficent author of a ſyſtem whoſe great object and tendency is univerſal happineſs. Theſe reflections naturally ariſe, from contemplating with philoſophic attention the paſſing ſeries of events. The ſcholaſtic diſputes of Theologians would be too inſignificant, and for the moſt part too abſurd, to merit the notice of Hiſtory, if the occaſional interpoſition of the civil power did not confer upon them an artificial and extrinſic importance. This year was diſtinguiſhed in the annals of the Church by a vehement controverſy between two Divines of profound erudition, Sherlock and South, reſpecting the myſtery of the Trinity—the former of theſe maintaining the exiſtence of three eternal minds; and the latter, of three perſonal ſubſiſtencies in one divine eſſence. The two grand combatants could boaſt on either ſide a numerous band of partiſans and admirers; each branding the other with HERESY and hoſtility to the Chriſtian faith. When noiſe and nonſenſe were at the height, and this miſerable contention of folly againſt folly on the eve therefore of ſubſiding; the King was addreſſed by the Commons, the whole Houſe attending, as on the moſt ſolemn occaſions, with the Speaker at their head, "to iſſue his Royal Proclamation for putting into execution the good laws now in force, againſt profaneneſs and immorality—and

Impolitic interference of Parliament.

BOOK III. 1698. that he would give effectual orders for the ſuppreſſion of all pernicious books and pamphlets containing impious doctrines againſt the Holy Trinity." For there were very many perſons, who, finding the learned Doctors of the Church ſo much at variance amongſt themſelves on this ſubject, ventured openly to deny and reject the whole—affirming that Reaſon and Scripture concurred in teaching that there was but one only living and true GOD; that the Trinity was a Popiſh term, and a Popiſh invention; no traces of which were to be found in the genuine Canon of Scripture *.

But the Houſe of Commons, not ſatisfied with what they had already done, enacted, with the ready concurrence of the Upper Houſe, "that if any perſon educated in the Chriſtian religion ſhall deny the ſame to be true, or the Holy Scriptures to be of divine authority, or impugn the doctrine of the Holy Trinity, he ſhall be incapable of holding any office or place of truſt, and for the ſecond offence be diſabled from bringing any action, or from acting as guardian, executor, legatee, or purchaſer of lands, and ſhall ſuffer three years impriſonment without bail." Thus did this Parliament arrogate an authority utterly inconſiſtent with the firſt principles of Proteſtantiſm—which can never reſt upon any other foundation than the broad and ſolid baſis of the right of private judgment in matters of religion. If this is relinquiſhed, the Church of England herſelf is guilty of hereſy and ſchiſm in ſeparating from the Church of Rome, which condemns thoſe to the flames who deny the myſtery of Tranſubſtantiation, with incomparably greater conſiſtency than the Proteſtant Church or Parliament of England can inflict penalties worſe than death on thoſe who reject the myſtery of the Trinity.

On the 5th of July 1698, the King in a handſome ſpeech expreſſed to the Parliament the ſenſe he entertained of the great things done by them

* The famous text of St. John, "There are three that bear witneſs in heaven, &c." which ſeems to give countenance to the eſtabliſhed doctrine, and which has long lain under the ſuſpicion and imputation of being an interpolation, is now, by the united labors of Porſon, Marſh, Grieſbach, Pappelbaum, and other critics of the firſt eminence, demonſtrated to be ſurreptitious, beyond the poſſibility of doubt or cavil.

for

for the ſafety and honor of the Crown, and the ſupport and welfare of the People. The Parliament was then prorogued, and in two days after diſſolved, having now ſat its full period of three years.

The power of Government was at this æra veſted chiefly in the hands of Lord Somers, Lord Orford, and Mr. Montague—a bold and aſpiring genius, who had recently attained the ſummit of his ambition by ſuperſeding Lord Godolphin as Firſt Commiſſioner of the Treaſury. He was originally introduced into public life under the patronage of Lord Sunderland. In this connection each had his purpoſe to ſerve, and the high-ſpirited Montague quickly learned to throw off his dependence, and rely with confidence on his own reſources and abilities for ſupport. The chief alteration diſcernible in the ſtate of things at Court, was the Earl of Portland's decline of favor with the King, and the rapid riſe of the Earl of Albemarle, ſon of M. Pellant Lord of Keppel in Guelderland—a young man of an agreeable perſon and addreſs, and endowed with all the arts and accompliſhments of a complete courtier.

Advancement of Lord Albemarle.

The Earl of Portland, like other Court favorites, ſaw this rivalſhip with extreme uneaſineſs; but his remonſtrances ſerved only to excite diſlike and diſpleaſure. The King, however, whoſe eſteem ſurvived his affection, ſent this nobleman, at the concluſion of the war, on an honorable embaſſy to Paris, where he diſplayed and was in return entertained with unuſual ſplendor and magnificence. The Secretary of the Embaſſy was the celebrated Prior; who paſſing, as it is related, through the grand apartments of Verſailles, and being ſhewn thoſe fine pieces of Le Brun which repreſent the victories of Louis XIV. was aſked by the officer who attended, "Whether King William's actions were alſo depictured in his palace?" "No, ſir," replied the Engliſhman, "the monuments of my maſter's actions are to be ſeen every where but in his own houſe." The Earl of Portland, on his return, finding his influence over the King in a manner extinguiſhed, and the ſtar of Keppel predominant, reſigned in unſpeakable chagrin the places he had held for near ten years in the Royal Houſehold. Sir William Trumbull, his intimate and confidential friend, had

Earl of Portland's embaſſy to Paris.

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had been ſome months before ſucceeded in his office of Secretary of State by Mr. Vernon, a man long converſant in buſineſs, and who had been ſeveral years Under-Secretary to the Duke of Shrewſbury.

The Duke of Gloceſter, only ſon of the Prince and Princeſs of Denmark, having now attained to the tenth year of his age, the King allotted him a ſeparate eſtabliſhment, appointing the Biſhop of Saliſbury his preceptor, and for governor the Earl of Marlborough, who was now fully reinſtated in the royal favor. On delivering the young Prince into his hands, the King ſaid, "My Lord, teach him to be what you are yourſelf, and I am ſatisfied."

Czar of Muſcovy viſits England.

It muſt not be omitted, that Peter Czar of Muſcovy, whoſe ardent genius incited him to traverſe Europe for the purpoſe of tranſplanting the arts of civilization from foreign countries into his native land, paſſed ſeveral months of the preceding winter in England; but no indications were viſible, except to the diſcerning few, of thoſe great talents which, in the ſequel, rendered his name ſo illuſtrious.

Affairs of Scotland.

In the courſe of the ſummer, a ſeſſion of Parliament was held in Scotland; the Earl of Marchmont, Lord Chancellor, being appointed High Commiſſioner. That kingdom was in a ſtate of great and general inflammation, in conſequence of the ſteps taken in England in relation to the famous Commercial Bill paſſed in the former ſeſſion. And at an early period of their meeting, an animated repreſentation was preſented to Parliament by the Company, ſtating "the loſs and diſappointment they had ſuffered from the withdrawment of the Engliſh ſubſcriptions; in lieu of which, they had publiſhed ſimilar propoſals in the City of Hamburg, which had met with extraordinary ſucceſs, 200,000l. being ſubſcribed by the merchants there in a very ſhort time. But, to their great ſurpriſe, a ſtop was put to this buſineſs, by a memorial delivered to the Senate by ſpecial warrant from his Majeſty, not only diſowning the authority under which they acted, but threatening both Senate and inhabitants with the King's utmoſt diſpleaſure if they ſhould countenance or join with them in

any treaty of trade or commerce." The Parliament, participating ſtrongly in the feelings of the Nation, voted immediately a petition to the King, in which, not content with "humbly entreating," they added "that they did moſt aſſuredly EXPECT that his Majeſty would take ſuch meaſures as might effectually vindicate the undoubted rights and privileges of the ſaid Company, and ſupport the credit and intereſt thereof." The King being abroad, no anſwer could be returned previous to the termination of the ſeſſion; which in the beginning of September was adjourned to the 25th of November: but the Company found, to their great chagrin, that no ſenſible effect whatever was produced by it.

Affairs of Ireland.

In this interval, the Parliament of Ireland alſo aſſembled at Dublin. The ſeſſion paſſed with no memorable occurrence. Conformably to their inſtructions from England, the Earl of Galway, and the other Lords Juſtices, recommended to Parliament to deſiſt from the proſecution of the woollen manufacture, and to encourage the linen and hempen; the latter of which the Commons, in their addreſs, reply "that they ſhall heartily endeavor; and, with reſpect to the woollen trade, they tamely expreſs their hope to find ſuch a *temperament*, that the ſame may not be injurious to England." This *temperament* proved to be nothing more or leſs than a heavy duty on the exportation of woollens, which, with other ſubſequent diſcouragements, effectually cruſhed that beneficial and growing branch of commerce.

At the latter end of July 1698, the King embarked for the Continent, veſting the government of the Kingdom as before, in a Regency, of whom the Earl of Marlborough was one. Previous to his departure, he left ſealed orders with the Regents, conformably to which 16,000 troops were to be kept up, though, by a vote of the Houſe of Commons, the number was limited to 10,000. But the King gave as a reaſon, that no determinate number was mentioned in the Act, and that the illneſs of the King of Spain, and the near proſpect of his diſſolution, made it adviſable at the preſent criſis not farther to reduce the ſtanding military force of the Kingdom.

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Projects of the King of England.

It was now the grand object of the King of England, after all the toils and dangers he had undergone, by fixing the balance of power in Europe to eſtabliſh and, if poſſible, perpetuate its tranquillity. The health of the King of Spain was ſuch, that he could not be expected long to ſurvive: and upon whom the ſucceſſion of that vaſt monarchy and its appendages ſhould then devolve, became a matter of the moſt ſerious and anxious conſideration. The Emperor claimed the whole as his indubitable right in the capacity of Heir General of the Houſe of Auſtria, and neareſt in blood of the male line deſcended from Philip and Joanna, King and Queen of Spain: and by one of the articles of the League of Augſburg the Maritime Powers engaged to aſſiſt the Emperor with all their forces, in the event of the King of Spain's demiſe, in taking poſſeſſion of the ſame. The other great claimant was the King of France, in right of his wife Maria Tereſa, eldeſt daughter of Philip IV. who had indeed, on her marriage, renounced all pretenſions to the ſucceſſion of Spain. But this renunciation was held by the majority of the Caſtilians to be null and void in itſelf, as contrary to the rights of nature, and to the fundamental laws of the Spaniſh Monarchy, which maintained the lineal order of ſucceſſion without diſtinction of male or female. It is remarkable that Leopold himſelf derived his claim from a female ſtock. For Philip of Auſtria, the common anceſtor of the two branches of that potent Houſe, reigned in Spain only in right of his wife Joanna, daughter of Ferdinand and Iſabella, in whom the kingdoms of Arragon and Caſtile were united.

Firſt Treaty of Partition.

At this period King William was much diſpleaſed with the Emperor for his haughty and pertinacious refuſal to concur in the late treaty. The lofty ideas cheriſhed at the original formation of the League of Augſburg, were now by time and experience extremely lowered. It was not to be imagined that the King of France would relinquiſh his claim without a valuable equivalent; and it could not but occur, on cool and impartial reflection, that the balance of Europe might be nearly as much endangered by transferring the undivided Monarchy of Spain to the Houſe of Auſtria, as to the Houſe of Bourbon. The mind of the King of England being ſtrongly impreſſed with theſe ideas; the Earl of Portland, on his late

late embaſſy to Paris, had inſtructions to communicate to the Moſt Chriſtian King the project of an eventual TREATY of PARTITION relative to the Spaniſh Monarchy, deviſed by the King of England for the purpoſe of preventing the revival of thoſe bloody and furious contentions which had been ſo recently and happily terminated; and to enſure to Europe the bleſſings of a general and laſting peace. Theſe overtures were favorably received by the Court of Verſailles; and on the arrival of the King of England at Loo, the plan was finally digeſted and arranged by this Monarch, in concert with Count Tallard, the French Ambaſſador. The terms of the Treaty were extremely unfavorable to the Houſe of Auſtria, to whom the duchy of Milan only was allotted as an *appanage* for the Archduke Charles, younger ſon of the Emperor. The Sicilies, Sardinia, and all that Spain poſſeſſed to the north-eaſtward of the Pyrenees, comprehending the towns of Fontarabia and St. Sebaſtian, were to be annexed for ever to the Monarchy of France. And Spain and the Indies, with the Low Countries, were given to the Electoral Prince of Bavaria, an infant ſcarcely ſeven years of age, deſcended from the Emperor Leopold by his firſt Empreſs, Margaret Tereſa youngeſt daughter of Philip IV.

The ſcheme being thus far perfected, the King wrote a letter from Loo to Lord Somers, dated Auguſt the 15th, 1698, expreſſed in the following cautious terms: "I imparted to you before I left England, that in France there was expreſſed to my Lord Portland ſome inclination to come to an agreement with us concerning the ſucceſſion of the King of Spain; ſince which Count Tallard has mentioned it to me, and has made ſuch propoſitions, the particulars of which my Lord Portland will write to Vernon, to whom I have given orders not to communicate them to any other beſides yourſelf, and to leave to your judgment to whom elſe you would think proper to impart them; to the end that I might know your opinion upon ſo important an affair, and which requires the greateſt ſecrecy. IF IT BE FIT this negotiation ſhould be carried on, there is no time to be loſt; and you will ſend me the full powers under the Great Seal, with the names in BLANK, to treat with Count Tallard."

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In reply, the Chancellor, then indiſpoſed at Tunbridge, wrote to the King, ſaying, "that Lord Orford, Mr. Montague, and the Duke of Shrewſbury had been made acquainted with the ſubject of his Majeſty's letter, and ſtating, though in faint and feeble terms, the various objections which occurred to them on the peruſal of the papers tranſmitted by the Earl of Portland. "As to what would be the future condition of Europe if the propoſal took place, we thought ourſelves," ſays the Chancellor, with ſurely too great a refinement of modeſty, "little capable of judging. But it *ſeemed* that if Sicily was in the French hands, they will be entirely maſters of the Levant trade; that if they were poſſeſſed of Final and thoſe other ſea-ports on that ſide, whereby Milan would be entirely ſhut out from relief by ſea, or any other commerce, that duchy would be of little ſignification in the hands of any Prince. And that, if the King of France had poſſeſſion of that part of Guipuſcoa which is mentioned in the propoſal, beſides the ports he would have in the ocean, it does ſeem, he would have as eaſy a way of invading Spain on that ſide as he now has on the ſide of Catalonia." After all, Lord Somers concedes in the King's favor the grand points, that England was not diſpoſed to enter into a new war; that France could not be expected to relinquiſh ſo rich a ſucceſſion without conſiderable advantages; and that the King would no doubt reduce the terms as low as could be done; and he concludes with ſending the *blank commiſſions* under the Great Seal, as required.

Reflections on the Treaty of Partition.

The object of WILLIAM was moſt aſſuredly to prevent a future deſolating and deſtructive war in Europe. But, could it be imagined by a Prince ſo celebrated for ſagacity, that the Emperor would acquieſce in an arrangement ſo injurious to his intereſts, and ſo contrary to his pretended rights? Would the Court of Madrid ever be prevailed upon to confirm this arbitrary diſtribution of its territories, equally incompatible with national dignity and national prejudice? Could the ſincerity of France itſelf be depended upon in this buſineſs? The Court of Verſailles had probably too much political penetration to expect this project to be peaceably executed. They hoped by theſe means to ſecure the amity, or at leaſt the neutrality, of England; and any oppoſition from the Emperor would

would diſengage them from the obligation of confining themſelves, if ſucceſsful, within the letter of the Treaty. "It does not appear," ſays Lord Somers, in his famous letter to the King, "in caſe this negotiation ſhould proceed, what is to be done on your part, in order to make it take place: whether any more be required than that the Engliſh and Dutch ſhould ſit ſtill, and France itſelf to ſee it executed. If that be ſo, what ſecurity ought we to expect, that, if by our being neuter the French be ſucceſsful, the French will confine themſelves to the terms of the Treaty, and not attempt to make farther advantages of their ſucceſs?" In theſe circumſtances, a ſevere but obvious and indiſpenſable duty was impoſed on the Lord Chancellor to repreſent to the King, in the moſt energetic language, the pernicious conſequences which muſt inevitably reſult from this ſtrange and impracticable project; and peremptorily to refuſe, at the riſque of incurring the utmoſt diſpleaſure of the King, to tranſmit the extraordinary and unconſtitutional commiſſion required of him. Even ſuppoſing, againſt all probability, the eventual acquieſcence of Spain and the Emperor in this Treaty, what arrangement more favorable to the intereſts of France could even the caprice of chance deviſe, than the preſent, by which ſo many rich and valuable provinces were incorporated with her empire?

The grand object of the King and Kingdom of Spain was to preſerve unimpaired, by a ſimple and abſolute devolution to one of the rival claimants, the unity and grandeur of the Spaniſh Monarchy. But the Courts of Vienna and Verſailles did not for a moment indulge the hope, that Europe would permit the Crown of Spain to be held in conjunction either with the Imperial or Gallic diadem. The real views and efforts of the Emperor were directed to the exaltation of his ſecond ſon the Archduke Charles; and of the King of France, of his grandſon the Duke of Anjou, ſecond ſon of the Dauphin, to the Spaniſh throne: and it was a maxim univerſally received amongſt the Spaniards themſelves, that the empire of Spain could neither be diſmembered on the one hand, or abſorbed and ſwallowed up in the vortex of any collateral power on the other. The

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King of Spain had ſhewn himſelf ſufficiently inclined to favor the pretenſions of the Houſe of Auſtria, in contra-diſtinction to thoſe of the Houſe of Bourbon; but his vanity was flattered by the adulatory ſolicitations of the rival powers, and his jealouſy alarmed at the idea of an irreverſible ſettlement of the ſucceſſion; ſo that his weak and feeble mind, though he had death in near and terrific proſpect, could not attain to any reſolute and ſteady deciſion.

The Commiſſion under the Great Seal of England had no ſooner arrived, than the Treaty was formally ſigned by the Earl of Portland and Sir Joſeph Williamſon, Ambaſſador at the Hague on the part of the King of England, and on that of the King of France by M. Tallard, in the preamble of whoſe powers it is ſaid, "that the deſire of maintaining the peace of Europe, together with the eſteem and friendſhip which Louis King of France and Navarre had conceived for his moſt dear and moſt beloved brother the King of Great Britain, had induced him to enter into cloſer engagements with his ſaid brother, and to concert with him the neceſſary meaſures for preventing ſuch emergencies as might occaſion a new war, &c." Such was the ſurpriſe and ſuch the delight excited in France when the contents of the Treaty were divulged, that we cannot wonder at the remark ſaid to be made on the occaſion, "*Voici un Roi d'Angleterre encore plus commode pour nous que n'eſtoit le Roi Charles!*"

The Treaty of Partition was ſucceeded by a triple league between England, Holland and Sweden; not only importing perpetual amity and reciprocal aſſiſtance in caſe of invaſion or attack, but profeſſing to guaranty the peace of Europe againſt all aggreſſors.

Peace of Carlowitz.

The mediation of the Maritime Powers, ſo repeatedly offered, and as often declined or evaded, was at length accepted in form by the Imperial and Ottoman Courts, and a general pacification, after a negotiation of ſeveral months, was concluded January 1699 at Carlowitz; by the terms of which the Emperor was allowed to retain all his recent acquiſitions and con-

queſts. Ruſſia, Poland, and Venice, the other Belligerent Powers, ſucceſſively acceding to the Treaty; the former was gratified by the ceſſion of Aſoph, Caminiek was reſtored to Poland, and the Morea, with ſeveral fortreſſes in Dalmatia, yielded to the Venetians. Europe was therefore once more permitted to enjoy throughout the wide extent of her kingdoms and empires an univerſal, but precarious and ſhort-lived, tranquillity.

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BOOK IV.

Seſſion of Parliament. Declining Popularity of the Whigs. High Debates reſpecting the Army. King compelled to part with his Dutch Guards. Affairs of the Eaſt India Company. Reſignation of the Earl of Orford. Bill for appropriating the Iriſh Forfeitures. Diſmiſſion of the Duke of Leeds. Affairs of Scotland. Intrigues of France at the Court of Madrid. Second Treaty of Partition. Reſentment of the Court of Madrid. Tories re-inſtated in Adminiſtration. Piracy of Kydd. Malignant Accuſations againſt Lord Somers. Severe Penal Act againſt the Papiſts. Eaſt India Affairs. Bill to treat concerning a Union. Report relative to Iriſh Forfeitures. Bill of Reſumption. Diſmiſſion of Lord Somers. Affairs of Scotland. State of Europe. Treaty of Travendahl. Death of the Duke of Glocester. Demiſe of the King of Spain. Violation of the ſecond Treaty of Partition by France. Its political Conſequences. Seſſion of Parliament. Predominance of the Tories. Debates reſpecting the Spaniſh Succeſſion. High Demands of the Maritime Powers. The Lords Portland, Orford, Somers, and Halifax impeached. Act of Settlement. Angry Diſputes between the Two Houſes. Kentiſh Petition. Proceedings of the Convocation. Second Grand Alliance. Military Tranſactions in Italy. Death of King James II. Recognition of the Pretender by France. Departure of the Engliſh Ambaſſador. Reſentment of the Engliſh Nation. Whigs regain their Aſcendency and Popularity. Seſſion of Parliament. Energetic Speech of the King. Bill to attaint the Pretender. Bill of Abjuration. Illneſs and Death of the King. His Character.

THE King returned not to England till the month of December 1698, and the Nation ſeemed not well pleaſed that their Sovereign, now that the war was terminated, ſhould continue to paſs ſix months of the

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the year upon the Continent—the greater part of it ſpent, as was well known, in indolent retirement at Loo.

Seſſion of Parliament.

The new Parliament, which had been originally convened for the 27th of September, had been ſomewhat trifled with, after aſſembling in town, by ſhort and repeated prorogations; and at laſt met December the 6th, in a humour not very placid. Various cauſes concurred to irritate and inflame the minds of the People and of the Parliament at this period, and to depreſs the credit of the Whigs; amongſt which the chief was the unconſtitutional attempt made in the laſt ſeſſion to maintain and perpetuate a ſtanding army in time of peace. The next in magnitude was the recent eſtabliſhment of the Scottiſh Mercantile Company, which continued to excite great and increaſing alarm in the commercial world. The third was the erection of a new Eaſt India Company; by which the Tories were beyond meaſure exaſperated, and which they took infinite pains to repreſent as an inſtance of unparalleled partiality and oppreſſion on the part of the Whigs. The choice made by the Commons of Thomas Lyttleton as Speaker was nevertheleſs conſidered as a favorable omen by the Court; but the inference proved very fallacious.

Declining popularity of the Whigs.

High debates reſpecting the army.

The King in his ſpeech ſtrongly urged to the Parliament, as a matter which demanded their immediate conſideration, what force ought to be maintained at ſea and land, this year. "To preſerve," ſaid the Monarch, "to England the weight and influence it has at preſent on the councils and affairs abroad, it will be requiſite Europe ſhould ſee you will not be wanting to yourſelves." The indiſcreet conduct of the King in retaining a military force ſo much larger than the laſt Parliament had voted or provided for, could not in the diſcuſſion of this ſpeech remain longer unacknowledged: and the reſentment, or rather rage, of the Commons inſtantaneouſly broke out in a very unuſual manner. Omitting to return any anſwer or addreſs whatever to the Throne, they proceeded to paſs a reſolution, "that all the land-forces in Engliſh pay, exceeding 7000 men, and thoſe conſiſting of his Majeſty's natural-born ſubjects, be forthwith

ſorthwith diſbanded." "If," ſaid Sir Charles Sedley, ſpeaking in ſupport of the reſolution, "we are true to ourſelves, theſe are enow; and if not, 100,000 are too few."

The Miniſters, ſeeing the temper of the Houſe, would not venture to oppoſe the torrent; and the Bill founded upon the reſolution paſſed almoſt without debate. Nothing could exceed the mortification and chagrin manifeſted by the King upon this occaſion. It is even affirmed that he harbored ſerious thoughts of abandoning the Government to a Regency nominated by Parliament, and fixing his reſidence in Holland: and there is extant a Speech, which it is pretended he had reſolved to make to the two Houſes on announcing to them his intention. But this peeviſh and ſplenetic idea, if it was ever entertained, was almoſt as ſoon relinquiſhed *. Lord Sunderland, who knew human nature too well to give eaſy credit to ſuch ſurmiſes, on being informed that the King threatened to throw up the Crown, exclaimed with ſarcaſtic contempt, "Does he ſo? There is Tom Pembroke"—meaning the Earl of Pembroke—"who is as good a *block of wood* as a King can be cut out of; we will ſend for him, and make him our King †!"

On the 1ſt of February 1699 the King went to the Houſe of Lords, and gave the royal aſſent to the Bill, according to his own declaration, "as ſoon as he underſtood it was ready." At the ſame time he expreſſed his opinion in a Speech to both Houſes, "that there was great hazard in breaking ſuch a number of troops, and his chagrin at the removal of thoſe guards which had come over to him to their aſſiſtance, and who had conſtantly attended him in all the actions wherein he had been engaged. But as nothing could be ſo fatal as any diſtruſt or jealouſy between him and his People, he had for that reaſon alone been induced to paſs the Bill: and he deſired not to be conſidered as reſponſible for its conſequences." The Houſe of Commons were now ſo far gratified as to preſent an Addreſs to the King, acknowledging themſelves "ſenſible of the difficulties he had undertaken, the labors he had ſuſtained,

* Burnet. Tindal, vol. ii. p. 467. † Ralph.

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and the hazards he had run in reſcuing them from popery and arbitrary power, reſtoring their liberties, and giving peace and quiet to Chriſtendom; and aſſuring him that they would on all occaſions ſtand by and aſſiſt him in the preſervation of his ſacred perſon and ſupport of his Government, againſt all his enemies whatſoever."

King compelled to part with his Dutch guards.

On this apparent return of good humour, the King made an ultimate effort to ſoften the moſt rigid and painful clauſe of the act, by a royal meſſage written with his own hand, delivered to the Commons by Lord Ranelagh, couched in the following terms: "His Majeſty is pleaſed to let the Houſe know, that the neceſſary preparations are made for tranſporting the guards who came with him to England; and that he intends to ſend them away immediately, unleſs, out of conſideration to him, the Houſe be diſpoſed to find a way for continuing them longer in his ſervice, which his Majeſty would take very kindly." Far from complying with a requeſt ſo natural and reaſonable, the Houſe of Commons in a flame *inſtantly* reſolved upon an Addreſs to the King, on a diviſion of 175 to 156 voices, declaring "their unſpeakable grief that his Majeſty ſhould be adviſed to propoſe any thing to which they could not conſent with due regard to that Conſtitution which his Majeſty came over to reſtore, and ſo often expoſed his royal perſon to preſerve—and did in his gracious Declaration promiſe, that all thoſe foreign forces which came over with him ſhould be ſent back."—This was certainly a moſt ungracious mode of reminding the King of his gracious Declaration, and favored much more of faction than of patriotiſm. To this intemperate Addreſs the King made a cool and judicious reply, "expreſſing his entire confidence in the affections of his People, and repelling with firmneſs the inſinuation that his wiſh to retain his native guards aroſe from any diſtruſt of the attachment of his Engliſh ſubjects."

The King ſaw and indignantly felt, nevertheleſs, how eager and inceſſant were the efforts of many individuals to traduce his character, and embarraſs the meaſures of his Government. In a confidential letter written by him at this period to Rouvigny Earl of Galway, he ſays, "I ſee

"I ſee you are uneaſy at the proceedings of the Parliament here. I think you have too much cauſe to be ſo—It is not to be conceived how people here are ſet againſt the *foreigners*.—You will eaſily judge on WHOM this reflects. My meaſures muſt be regulated according as things go in the Parliament, of which there is no being ſure till the ſeſſion is over.—There is a ſpirit of ignorance and malice prevails here beyond conception."

The Tories, finding their ſtrength, now proceeded to exhibit other proofs of their diſcontent and diſſatisfaction. With a view to caſt a reflection on the tolerant ſpirit of the preſent Whig Miniſtry, an addreſs was preſented to the King, complaining of the boldneſs with which, from his Majeſty's *unexampled clemency*, the Papiſts had of late frequented the metropolis and all places of public reſort; and beſeeching his Majeſty to iſſue his Royal Proclamation againſt them; which the King promiſed to do.

Affairs of the East India Company.

Seeing the complexion of the Houſe of Commons, the Old Eaſt India Company were encouraged to preſent a petition to the Houſe, praying, "that their caſe might be taken into conſideration; and that the Houſe would make ſome proviſion that their Corporation might ſubſiſt for the reſidue of the term of 21 years granted by his Majeſty's Charter: and that ſuch farther conſiderations might be had for the Petitioners' relief, and for the preſervation of the Eaſt India Trade to England, as ſhould be thought meet." This petition was favorably received, and a Bill ordered by the Houſe to be brought in thereupon. Some of the more warm and injudicious partiſans of the Company launched into an high ſtrain of invective againſt the late Eaſt India Bill and its promoters; and even ventured to aſſert, that they were not bound to maintain the votes and to keep up the credit of the former Parliament. But the Houſe wiſely conſidered, that vaſt ſums had been advanced and expences incurred by the proprietors of the New Stock, in conſequence of the Act recently paſſed. If that Act were now to be repealed, or the conditions of it new-modelled, the very baſis of parliamentary faith would be ſub-

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verted, and the public confidence would be inevitably loſt. The Bill therefore was not ſuffered to proceed to a ſecond reading.

Reſignation of the Earl of Orford.

The firſt ſymptom of the decline and fall of the Whig Miniſtry had already appeared in the reſignation of the Earl of Sunderland, whoſe ſagacity foreſaw, and whoſe caution had avoided, the approaching danger. Had that Nobleman continued in Adminiſtration, he would have been undoubtedly the firſt object of attack. But the ſtorm now fell upon the Earl of Orford, who had been ſeveral years at the head both of the Admiralty and Navy Departments. It had tranſpired, that the Auditors of the Impreſts had declined paſſing his Lordſhip's accounts for want of ſufficient vouchers. And it was alſo affirmed, that his Lordſhip had unneceſſarily retained a vaſt ſum of money in his hands, to the prejudice of the ſeamen and to his own private advantage. The Houſe called therefore for the ſaid accounts; from which it appeared that there remained a balance in the hands of the Earl of Orford, as Treaſurer of the Navy, of 460,000 l. of which the Earl declared that 380,000 l. was then in a courſe of payment. But the object of the Houſe was, not to inveſtigate but to cenſure; and they preſented a violent Addreſs to the Throne, "complaining of miſmanagement of the public ſervice—of miſapplication of the public money—of the introduction of new and unneceſſary charges—of the want of regular vouchers—and finally declaring, that the offices of Firſt Commiſſioner of the Admiralty and Treaſurer of the Navy were inconſiſtent and ought not to be executed by the ſame perſon." The King aſſured them that it was his deſire that all ſorts of miſmanagements and irregularities ſhould be prevented or redreſſed; and that their Addreſs ſhould be taken into conſideration. But the Earl of Orford did not chooſe to riſque any farther conteſt with the Houſe of Commons, and reſigned his employments. He was ſucceeded in the Admiralty by the Earl of Bridgewater, a nobleman wholly unacquainted with ſea affairs; and the Tories were diſappointed in their views of advancing Sir George Rooke to that important poſt—a naval officer of high reputation, and ſtrongly attached to the party in oppoſition.

A moſt

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A moſt ſenſible and bitter mortification was ſtill in reſerve for the King. By a Bill ſent up from the Commons to the Lords ſome years ſince, attainting the Iriſh who had been in arms againſt the Government, their eſtates by law confiſcated to the Crown were applied to the payment of the public debts, leaving only a power to the King to diſpoſe of the third part of them. This Bill met with much oppoſition in the Upper Houſe: many petitions were preſented againſt it; and the King, who was impatient to embark for the Continent, engaged that nothing ſhould be done by him in prejudice of the Bill till the Parliament had an opportunity of ſettling the buſineſs. But the next ſeſſion, and ſeveral ſucceeding ſeſſions, paſſing over without any parliamentary revival or even mention of the Bill; the King thought himſelf at liberty to exerciſe his prerogative to its full extent, by making grants of the whole of the forfeited eſtates. But this angry and jealous Houſe of Commons were determined that the matter ſhould not reſt in its preſent ſtate. They annexed therefore a clauſe to the Land-tax Bill, appointing ſeven commiſſioners to take an account of the eſtates forfeited in Ireland, in order to their being applied in aid of the public ſervice. When the Bill was tranſmitted to the Lords, they found themſelves, to their great diſcontent, precluded from entering into the merits of this proviſion, being compelled to paſs the clauſe without alteration as conſtituting part of a Money Bill. But a proteſt was entered upon the Journals expreſſive of their Lordſhips' diſapprobation of this procedure: "1ſt. Becauſe the clauſe in queſtion compriſed a matter foreign to the Bill; and 2dly, Becauſe the practice of *tacking* clauſes of this nature to Money Bills was contrary to the ancient method of proceeding in Parliament, ſubverſive of the freedom of debate, and derogatory to the privileges of the Houſe." The Bill having at length paſſed the Lords, received from the King a moſt reluctant aſſent; and on the 4th May, 1699, the Parliament was prorogued, and the King and his Miniſters relieved, for a time, from their imperious and unwelcome control.

Bill for appropriating the Iriſh forfeitures.

Immediately after the riſing of Parliament ſome farther alterations were made in order to conciliate and gratify the Tories. The Duke of Leeds,

Diſmiſſion of the Duke of Leeds.

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Leeds, who had ſunk into inſignificance and contempt ſince the diſcovery of his India peculations, was now diſmiſſed from his poſt of Preſident of the Council, which was given to the Earl of Pembroke; and the Privy Seal, relinquiſhed by this nobleman, was conſigned to Lord Lonſdale. The Duke of Shrewſbury, who diſliked the fatigues and was indifferent to the emoluments of office, reſigned without reluctance the Seals of Secretary of State to the Earl of Jerſey: but towards the cloſe of the year he accepted the place of Lord Chamberlain. This nobleman was ſo diſtinguiſhed by the generoſity of his diſpoſition and the faſcination of his manners, that he was generally known by the appellation of "King of Hearts." He was ſaid by the King to be the only man of whom both Whigs and Tories agreed to ſpeak well. Though perſonally diſintereſted, his applications for his friends were ſo numerous, that the King one day, in the ſpirit of pleaſantry, told him "to ſet down all his demands at once, that he might ſee whether the whole kingdom would ſatisfy them."

Previous to his departure for Holland, the King wrote to the Earl of Galway, whom he had long honored with his intimate friendſhip, complaining in ſtrong terms of the vexations he had been made to endure in the courſe of the laſt ſeſſion of Parliament. "It is not poſſible (ſaid he) to be more ſenſibly touched than I am, at not being able to do more for the poor refugee officers who have ſerved me with ſo much zeal and fidelity. I am afraid the GOOD GOD will puniſh the ingratitude of this Nation.—I fear the Commiſſion given here by the Commons for the inſpection of the forfeitures, will give you a great deal of trouble, and me no leſs the next winter. Aſſuredly on all ſides my patience is put to the trial. I am going to *breathe* a little beyond ſea, in order to come back as ſoon as poſſible."

Affairs of Scotland.

Notwithſtanding the numerous diſappointments and diſcouragements which the Scottiſh Company had ſuſtained, and the utter improbability of final ſucceſs in their projects—ſuch was their reluctance to be awakened from their airy dreams, that they had in the courſe of the preceding

preceding year ſent to ſea two large ſhips out of four which they had cauſed to be built at Hamburg, and ſeveral ſmaller veſſels, freighted with divers commodities the growth or manufacture of Scotland; and about 1200 adventurers on board, furniſhed with all things neceſſary for the eſtabliſhment of a colony. But their indiſcretion was no leſs conſpicuous than their ill-fortune. The ſpot fixed upon for this ſettlement was the Iſthmus of Darien, a territory ſituated in the heart of the Spaniſh Empire in America, from time immemorial claimed, and in part occupied, by Spain to the excluſion of every other European Power; and which, if their avarice had ſuffered their reaſon to operate, the Scottiſh projectors muſt be ſenſible that the Court of Madrid would reſent and repel as a flagrant encroachment upon their rights.

In the month of October 1698, they arrived at GOLDEN ISLAND on the Coaſt of Darien; but the wants and miſeries, the difficulties and dangers they had to encounter, ſoon diſpoſed them to think more of a deliverance than an eſtabliſhment. This intelligence was no ſooner received in England, than the Earl of Seafield, Secretary of State for Scotland, who had hitherto abſtained from replying to the repreſentations of the Company, informed them, by order from the King, "that, there being accounts of the arrival of the ſhips belonging to the Company on the Coaſts of America, and the particular deſign not being communicated to his Majeſty, he therefore delayed to give an anſwer till he had received certain information of their ſettlement." The Company on this notified to Lord Seafield, "that their ſhips had reached their deſtination at Golden Iſland on the Coaſt of Darien—and had obtained, by treaty with the natives, a tract never before in the poſſeſſion of any Europeans." But though the Scottiſh Directors had been guilty of the extreme imprudence of attempting a permanent ſettlement in the centre of the Spaniſh Empire without the permiſſion, it could not be long concealed from the knowledge, of the Executive Government. And by the poſitive orders of the King, Sir William Beeſton, Governor of Jamaica, iſſued a proclamation early in April 1699, importing that his Majeſty was not informed of the deſigns of the Scots in relation to Darien;

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rien; which being contrary to the treaties ſubſiſting between his Majeſty and his Allies, he ſtrictly charged and commanded all his Majeſty's ſubjects, that upon no pretence whatever they ſhould hold any correſpondence with the Scots aforeſaid, or give them any aſſiſtance, under pain of ſuffering the effects of his Majeſty's ſevereſt diſpleaſure. This was a meaſure, however harſh, very ſeaſonable and neceſſary; for, in the month of May following, the Marquis de Canales, Miniſter Reſidentiary of Spain, preſented to the Court of London a Memorial, remonſtrating in the ſtrongeſt and moſt reſentful terms againſt the Darien ſettlement; which, the Memorialiſt declared, "the King his maſter regarded, not merely as a violation of friendſhip, but as a rupture of the alliance ſubſiſting between the two Crowns. That his Catholic Majeſty could not expect ſuch inſults and hoſtilities to be committed by the ſubjects of the King of England, without cauſe or pretext, in the heart of his dominions; and that all the King his maſter deſired was to have his extreme ſenſibility of a procedure ſo unjuſt repreſented to his Majeſty, for he would take ſuch meaſures concerning them as he ſhould ſee convenient." To this Memorial the orders already ſent to the Governor of Jamaica furniſhed a ſatisfactory reply.

The Engliſh Parliament, perceiving, doubtleſs, the approaching inevitable ruin of the Scottiſh Colony, did not deign in the courſe of the laſt ſeſſion to make it the ſubject of their animadverſion. Nothing but misfortune had attended this ill-fated and extravagant project. Of the ſhips ſent out with ſtores and reinforcements, one took fire by accident, and a ſecond was wrecked near Carthagena, the cargo confiſcated, and the crew ſent to priſon. Thoſe who reached the deſtined ſhore, finding their expectations wholly blaſted, were wrought up to a pitch of inſubordination and animoſity, which utterly diſqualified them from adopting any rational means either of ſubſiſtence or defence. In fine, ſeeing their inability to reſiſt the force which the Spaniards were preparing to bring againſt them, they thought proper to ſign a capitulation, and entirely to evacuate the Spaniſh Coaſt, after the immenſe expence incurred in the ſucceſſive equipments and preparations of the Company, who were,

were, however reluctantly, at length compelled to open their eyes, when their invincible obſtinacy in folly had left them nothing to contemplate but their own beggary, bankruptcy and ruin.

In the month of September 1699, while they were yet unappriſed of the cataſtrophe of this tragic drama, the Company had tranſmitted an Addreſs to the Throne, complaining of the injuries they had received and the miſchiefs they had ſtill to apprehend from the Spaniards; and beſeeching his Majeſty's favor and protection. This being evaſively anſwered, they framed a ſecond addreſs or remonſtrance in ſtill ſtronger terms, complaining "that they were not within the pale of the royal protection. That proclamations had been iſſued in his Majeſty's name by the Governors of the American Plantations, prohibiting all commerce or correſpondence with the Scottiſh Colony, which had produced the moſt fatal conſequences to the Company—They entreated that his Majeſty would take off the force and effect of thoſe proclamations, and allow his Parliament of Scotland to meet at as early a period as poſſible, in order that his Majeſty might have the advice and aſſiſtance of the great Council of the Nation in ſuch a weighty and general concern." To this Lord Seafield was directed to anſwer, "that his Majeſty very much regretted the loſs which that Kingdom and the Company had lately ſuſtained—that he would upon all occaſions protect and encourage the trade of the Nation—and that they ſhould enjoy the ſame freedom of commerce with the Engliſh Plantations as formerly. As to the Parliament, they were adjourned to March; and he would cauſe them to meet when he judged that the good of the Nation required it." This anſwer gave little ſatisfaction; the national ferment ſpread like a contagion, and ſeemed to threaten the moſt alarming conſequences.

Intrigues of France at the Court of Madrid.

Notwithſtanding the cordiality with which the Court of Verſailles appeared to concur in the Treaty of Partition, ſhe employed all the arts of her refined and inſidious policy to induce the Court of Madrid to pronounce an ultimate deciſion in her favor. The Marquis de Harcourt, Ambaſſador from France, inſinuated in terms the moſt flattering

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and reſpectful, "that the only object of the King his maſter was, to maintain the honor and independency of the Crown of Spain—that Philip IV. had doubtleſs exerted his power too far in transferring the inheritance of the Crown to the Imperial Houſe againſt the Laws of Nature and the Conſtitution of the Realm—that the ſucceſſion lawfully belonged to his daughter's children, and not to his relations four degrees removed—that it was far from the wiſh of the King his maſter, to unite the Crowns of France and Spain—but that the Duke of Anjou, ſecond ſon of the Dauphin, was yet in very early youth; and if it were deemed expedient to make choice of him as ſucceſſor to the Throne, he might, by a reſidence in Spain, eaſily learn to conform himſelf to the cuſtoms and manners of the country—that, ſuppoſing the validity of the renunciation of the Infanta Maria Tereſa, the right of ſucceſſion would devolve upon the Electoral Prince of Bavaria, deſcended alſo from a daughter of Spain. But it was impoſſible that the Moſt Chriſtian King could tamely acquieſce in a diſpoſition ſo injurious to the rights and intereſts of his Crown as the abſolute transfer of the Monarchy of Spain and its vaſt dependencies to the Houſe of Auſtria, already too much aggrandized by her recent conqueſts in Hungary. And he inſinuated that the Catholic Religion might be endangered under a Prince ſo cloſely connected with Heretics. The Ambaſſador ſubmitted the deciſion of this great queſtion with the utmoſt confidence to the juſtice of his Catholic Majeſty, whoſe friendſhip the Moſt Chriſtian King was moſt ſincerely deſirous to cultivate; and the Ambaſſador took occaſion to expreſs the indignation of his Sovereign at the flagrant encroachments of the Britiſh Nation on the territorial rights of Spain in America; and his readineſs to act in concert with them to repel theſe lawleſs invaders *. And he made a generous offer of ſuccors by ſea and land againſt the Moors, who were then beſieging both Ceuta and Oran." This was civilly declined; but by degrees a powerful impreſſion was made by theſe arguments, and others no doubt of a very different kind, on a very large pro-

* This proves the effrontery of the Scottiſh Directors, who, in their Memorial of March 21ſt 1699, preſumed to aſſert the probability, that France had it in contemplation to ſettle a colony on the Coaſt of Darien, which they abſurdly claimed the merit of preventing.

portion of the Spaniſh Nobles and Grandees, with the famous Cardinal Porto-Carrero at their head, who had a powerful ſway over the Spaniſh Councils. The Queen of Spain, on the other hand, was ſtrongly in the intereſt of the Houſe of Auſtria, and exerted her influence with no inconſiderable effect to counteract the machinations of France, who, to operate on the fears as well as the juſtice and gratitude of the Spaniſh Court, had ordered an army of 60,000 men to aſſemble on the frontiers of Catalonia.

Such was the ſtate of things, when the Court of Madrid was appriſed of the Treaty of Partition about to be concluded at Loo. The King of Spain, violently and juſtly offended, was inſtantly incited by the impulſe of paſſion to adopt a reſolution which wiſdom had ſo long unavailingly dictated, viz. to make a teſtamentary diſpoſition of his dominions, which he left, June 1698, without reſerve to the Electoral Prince of Bavaria, now ſolemnly conſtituted ſole heir of this vaſt inheritance. Why his Catholic Majeſty paſſed over in ſilence the claims of the Houſe of Auſtria, to which he had hitherto ſhewn a ſtrong predilection, cannot be eaſily aſcertained.—The Emperor had obſtinately refuſed to permit his ſon the Archduke to take up his reſidence in Spain—in the memorial preſented by the Imperial Ambaſſador Count Harrach at the Court of Madrid on the ſubject of the Treaty of Partition, the chief ſtreſs ſeemed to be laid on the injuſtice done to the Houſe of Auſtria, which is ſaid to have offended the pride of the Spaniſh Court—and it was obvious that in preſent circumſtances there exiſted a greater probability of preſerving the integrity of the Spaniſh Empire by an abſolute devolution of it to the Electoral Prince than to the Archduke. And in this caſe France and Auſtria would have derived much conſolation for the diſappointment they reſpectively ſuſtained, by reflecting on the baffled hopes and abortive projects of each other.

A memorial was immediately preſented at the Court of Madrid, by M. de Harcourt; which, under color of complaining of the injury done to France, contains a virtual acquieſcence in this diſpoſition. In the concluſion

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of this Memorial *, the Ambaſſador ſays, "Your Majeſty knows I have never *importuned* you concerning the ſucceſſion. Laſtly, Sir, it is to be conſidered, whether the diſintereſted reſpects of my maſter, and his deſire to maintain a good correſpondence with your Majeſty, deſerve the reſolution you have taken: and what reaſon all Europe may have to complain of your Majeſty, if, to the general misfortune, the ſolicitude of my maſter cannot prevent the diſturbance to be feared from ſuch an incident." This can only be conſtrued to mean, that the King of France will not, but that he apprehends the Emperor will conteſt this diſpoſition. The anſwer of the Spaniſh Court to this Memorial † was wholly vague and complimentary: "The zeal of his Catholic Majeſty for preſerving the tranquillity of Europe was equal to that of the Moſt Chriſtian King—that he could not but be ſurpriſed at his Excellency's Memorial, at a time when the Divine goodneſs had ſo recently reſtored him to health—but he expreſſed his ſenſe of the friendſhip of his Moſt Chriſtian Majeſty, and his readineſs to concur with him in whatever ſhould be found neceſſary for continuing the public repoſe, which his Catholic Majeſty affirmed would be the conſtant tenor of his prayers." With whatever reluctance, it is probable that the two great rival powers of Bourbon and Auſtria would have ultimately acquieſced in a teſtamentary diſpoſition ſo conformable to the intereſts of Spain and the inclinations of all Europe, had not the unfortunate death of the Electoral Prince in a few months (February the 16th 1699) entirely altered the face of things, and thrown the whole political world into an abyſs of confuſion.

Second Treaty of Partition.

Notwithſtanding the pretended recovery of the King of Spain, it was well known that this enfeebled Monarch could not long ſurvive: and the attention of the King of England was anew engaged, with laudable and diſintereſted ſolicitude, but with very doubtful wiſdom, in the formation of new ſchemes and projects for the preſervation of the peace of Chriſtendom. Soon after the arrival of the King at Loo, M. de Tallard was again deputed to negotiate with his Majeſty a ſecond Partition Treaty, to

* Lamberti. † Id.

which

which the Court of Vienna was invited to concur as a principal party. Various obſtacles, occaſioned by as many different cauſes, retarded the concluſion of the treaty at Loo—of which the objections ſeverally ſuggeſted by the Emperor and the States General appear to have been the chief. Their High Mightineſſes, doubting the ſincerity of the French Court, and probably not well pleaſed with the terms of the treaty, required, that, when ſigned and ratified, it ſhould be regiſtered in the Parliament of Paris. But the Court of Verſailles replied with haughtineſs, "that the Parliament of Paris was no more than a Court of Juſtice; and that this was a propoſition that could not even be liſtened to." The Emperor abſolutely refuſed to engage as a party in the treaty, till the terms of it were communicated to and approved by the Court of Madrid. M. de Tallard following the King, after a ſhort interval, into England; the treaty was at length ſigned, March the 3d, 1700, by the Ambaſſador Tallard on the part of the King his maſter, and, on that of the King of Great Britain, by the Earls of Jerſey and Portland, and on the 25th of the ſame month, by the Plenipotentiaries of the States General at the Hague.

Conformably to the conditions of this treaty, Spain and the Indies, with the Low Countries and Sardinia, were, on the death of the King of Spain without iſſue, to devolve to the Archduke Charles. The Sicilies, Finale and the other poſſeſſions of Spain in Italy, Milan excepted, with the Province of Guipuſcoa, &c. as ſettled in the former treaty, were to be ceded in full right to the Dauphin—as alſo the Duchies of Lorraine and Bar, of more intrinſic value to France than all the reſt of her acquiſitions. To the Duke of Lorraine in lieu of his Duchy was aſſigned the Dukedom of Milan. Thus more was voluntarily conceded to France, than ſhe could hope to gain by the moſt ſucceſsful war. To this treaty the Emperor was allowed three months to accede; and in caſe of refuſal, the allotment of the Archduke was to be diſpoſed of to a Prince who ſhould be named by the two Kings of France and Great Britain, in conjunction with the States General. And in a ſeparate article

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ticle the Emperor was by a farther indulgence admitted to ſubſcribe within two months after the death of the King of Spain *.

Reſentment of the Court of Madrid.

The Court of Madrid, on the firſt intimation of the negotiations recommenced at Loo, diſcovered, as might well be expected, the moſt paſſionate reſentment. So early as the month of Auguſt, the Spaniſh Secretary of State Don Antonio de Ubilla delivered a Memorial to Mr. Stanhope the Engliſh Ambaſſador at Madrid, ſetting forth "that the King his maſter having been informed by different advices, that the Engliſh, French and Hollanders were again framing new treaties for diſpoſing of the ſucceſſion of that Crown and dividing its dominions, his Majeſty could no longer diſſemble his knowledge, or omit to make known his reſentments of a procedure never before heard of during the life of any King.—And Don Antonio makes, by order of the Catholic King, this communication to Don Stanhope, that, he giving notice to his Britannic Majeſty, and aſſiſting by his prudent repreſentations, the univerſal quiet may be maintained, and that he may quit the *ſcandal* of

* It is evident from the tenor of the correſpondence of the King with the Penſionary Heinſius at this period, that his acceſſion to the terms of the Partition Treaties was the reſult of what appeared to him an urgent political neceſſity, ariſing from the known indiſpoſition of the Parliament and People to a renewal of the war on the Continent. "I find," ſays the King to that Miniſter, "your thoughts entirely occupied with the great ſtorm which ſeems to hang over our heads, by the likelihood of the King of Spain's death.—I only wiſh my power was ſuch, as that I could properly ſecond your hearty ſentiments."—"People begin here more and more to fear the death of the King of Spain, being perſuaded it will draw on a war, to which they in that caſe ſeem reſolved; but would contribute little or nothing, except to the marine, and leave the war by land to the Republic and the other allies, which they would not carry through.—Though, on the other hand, I ſee no likelihood of bringing the Parliament to give money ſufficient to keep ſo conſiderable a body of troops in the Spaniſh Netherlands as I had the laſt war; and without that I ſee no poſſibility of defending them."—"I confeſs that, every thing conſidered, it is very queſtionable which alternative to chooſe, and to negotiate farther thereon; but this is beyond a doubt, that when theſe offers of France are public in England and Holland, it will be difficult to get them to conſent to a war, in caſe the King of Spain ſhould happen to die now—ſo that meaſures *muſt* be taken in conſequence."—*Hardwicke State Papers.*

this

this *negotiation*, which it is feared will be an unhappy motive of kindling a voracious flame of a new war, which being once lighted will be difficult to be extinguiſhed, either by the greateſt force, or the moſt dextrous and moſt powerful mediation." A Memorial couched in ſtill more energetic language, and in a ſtyle bordering upon rudeneſs and inſolence, was ſoon after preſented by the Marquis de Canales to the Lords Juſtices of England, in the abſence of his Majeſty—ſtating, in a way unuſually pointed and perſonal, "that if theſe proceedings, theſe machinations and projects are not quickly put a ſtop to, we ſhall without doubt ſee a dire and univerſal war over all Europe, difficult to ſtop when we are willing, and moſt ſenſible and prejudicial to the Engliſh Nation, which has newly tried and felt what *novelties* and the laſt war have coſt them."—And declaring, "that the Embaſſador Extraordinary of Spain will manifeſt to the Parliament, when it ſhall be aſſembled, the juſt reſentment which he now expreſſes." This paper being tranſmitted to the King at Loo, the Ambaſſador was informed by Mr. Secretary Vernon, that his Majeſty found the contents ſo inſolent and ſeditious, that, in reſentment of ſo extraordinary a procedure, he ordered the Ambaſſador to quit his dominions in eighteen days, and that no writing be any more received from him or any of his domeſtics. The Ambaſſador replied with an air of gaiety, "Te Deum laudamus!"—adding, "that he ſhould not fail to obey the orders he had received, to a ſcruple." In return, Mr. Stanhope was alſo ordered to quit the territories of the King of Spain.

The negotiations at Loo ſeemed to excite almoſt as great a ferment at Vienna as at Madrid. The Count de Kaunitz, in a conference with M. de Villars the French Ambaſſador at the Imperial Court, declared it to be an unprecedented thing for Great Britain and Holland to divide the Monarchy of Spain—"And this third Power you threaten us with," ſaid the Count, "who is he? What, ſhall the Dutch give away kingdoms!"—And the Memorial of M. de Canales being ſpoken of by M. Hope, Miniſter from the States General, as highly inſolent, in making an appeal from the Sovereign to his ſubjects; the Spaniſh Ambaſſador, being

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being preſent, gravely replied, "Subjects who dethrone one King and elect another, who have even put a third to death, and who openly act in defiance of the will of the Sovereign"—alluding to the affair of Darien —"ſuch ſubjects can by no means be regarded in the ſame light with the ſubjects of other Kings*."

On the other hand, the extreme ſatisfaction of the Court of Verſailles at the late proceedings appears from the general tenor of the diſpatches of the Earl of Mancheſter, Ambaſſador at Paris. In his letter of May 8th, 1700, to Lord Jerſey, this Nobleman ſays, "that in his laſt conference with M. de Torcy, that Miniſter obſerved to him they ſhould now ſoon ſee the ſucceſs of this great affair—that the King of England would have the honor of it—The caſe," he added, "was extremely changed within two years—that the French King had now all the obligations and intereſt to wiſh for the life and welfare of our King.—Henceforth," as in a ſubſequent conference he took occaſion to ſay, "it would be very convenient for France and England always to act in concert in the affairs of Europe."

Circumſtanced as the Emperor now was, he appeared inclined to accede, after all the anger and reſentment he had diſplayed, to the principal terms of the treaty. And various conceſſions were made by the Court of Verſailles in order to render it more palatable—calculated to enſure the ſucceſſion of Spain to the Archduke; and, in particular, that this Prince ſhould be at liberty to reſide in that kingdom during the life of the King; knowing perhaps the determination of the Emperor againſt it. It was alſo agreed that the ſucceſſion of the Sicilies ſhould be limited to the deſcendants of the Queen Maria Tereſa. But when the Imperial Court proceeded to propoſe that the Indies ſhould be ceded to France in lieu of the Sicilies; and the Iſland of Sardinia and the Duchy of Luxemburg as an equivalent for Lorraine and Bar—the propoſition was rejected as extravagant and inadmiſſible. The King of France himſelf, in a diſpatch to M. Briord Reſident at the Hague, informs him, "that M. Zinzendorf, the Imperial Ambaſſador at Paris, had plainly enough intimated

* Ralph; Lamberti; Memoirs of the M. de Villars, &c.

that

that the Emperor would cede to him the Low Countries, in caſe he would treat directly with him—and directs that Miniſter to caution the Penſioner againſt all the artifices which the Imperial Miniſters would not fail to employ, in order to create a jealouſy which might be fatal to the meaſures he had taken with England and Holland." In the mean time the Emperor carried on his negotiations in Spain with ſuch ſucceſs, that his Catholic Majeſty, in the month of June 1700, was prevailed upon to ſign a Will, declaring the Arch-duke ſole heir of the Spaniſh dominions. This was immediately tranſmitted to Vienna; and M. de Villars was then informed, "that his Imperial Majeſty, conſidering the good ſtate of the King of Spain's health, declined acceding to the Treaty of Partition; but that in failure of male heirs the Emperor conſidered the ſucceſſion as juſtly belonging to him."—And thus this matter reſted during the ſummer of the year 1700.

Tories reinſtated in Adminiſtration.

To preſerve perſpicuity and connection, the order of events has been ſomewhat anticipated. The King of England arrived at his palace of Kenſington from the Continent in the month of October 1699. It had been for ſome time paſt infuſed into his mind by perſons in his confidence, and particularly by the Earls of Jerſey and Albemarle, that the Whigs either could not or would not conduct the buſineſs of Government to his ſatisfaction—that the Tory intereſt predominated in the Houſe of Commons; and that it was neceſſary to conform to circumſtances, and to take ſome of the leaders of that party into Adminiſtration. On the other hand, Lord Somers, who retained great influence over the King, declared, that there was no neceſſity for yielding at diſcretion to the Tories—that if the King would be true to his friends, they would be true to him. He blamed the reſignation of Lord Orford, and was of opinion the Whigs might regain their aſcendency in a new Parliament.—The King himſelf was inclined to a diſſolution, but the Miniſters would not venture to adviſe ſo bold a meaſure. He therefore finally determined to adopt the counſels of their opponents. The firſt manifeſtation of this was a viſit publicly made by him to the Earl of Rocheſter at Richmond—and Mr. Montague, perceiving the high favor he had for ſeveral years paſt poſſeſſed,

BOOK IV. 1699.

both with the King and the Parliament, now rapidly on the wane, thought it expedient to reſign his offices previous to the commencement of the ſeſſion. In his room Lord Tankerville was placed at the head of the Treaſury, and Mr. John Smith, who had for ſome time occupied with reputation a ſeat at the Board, was conſtituted Chancellor of the Exchequer. Thus another of the grand columns which upheld the tottering fabric of the Whig Adminiſtration was removed; and it now reſted almoſt entirely upon the abilities, courage, and high reputation of the Lord Chancellor Somers for ſupport.

On the 16th of November 1699, the ſeſſion opened with a ſpeech of a very general nature, and in which every expreſſion that could give any juſt cauſe of offence ſeems to have been cautiouſly avoided. In concluſion the King declared "his full aſſurance of the good affections of his People, which it would be his endeavor to preſerve by a conſtant care of their juſt rights and liberties. Since then," ſaid the Monarch, "our aims are only for the general good, let us act with confidence in one another; which will not fail, by GOD's bleſſing, to make me a happy King, and you a great and flouriſhing People." But ſuch was the perverſe conduct of the Houſe as to manifeſt a pre-determination not to be ſatisfied. In their Addreſs the Commons affected to conſider this recommendation of mutual confidence as involving in it by implication a charge againſt them for not placing proper confidence in him. "We do eſteem it," ſay they, "our greateſt misfortune, that, after having ſo amply provided for the ſecurity of your Majeſty and your Government both by ſea and land, any jealouſy or diſtruſt hath been raiſed of our duty and affections to your ſacred Majeſty—and beg leave humbly to repreſent that it will greatly conduce to the continuing and eſtabliſhing an entire confidence between your Majeſty and your Parliament, that you would be pleaſed to ſhow marks of your high diſpleaſure towards all ſuch perſons who have or ſhall preſume to miſrepreſent their proceedings to your Majeſty." The King to this ſtrange and captious complaint returned a mild and diſcreet anſwer, aſſuring them "that no perſons had ever yet dared to miſrepreſent to him the proceedings of either Houſe—and that if ſuch calumnies

ſhould

ſhould be attempted, they would not only fail of ſucceſs, but the authors of them would be treated as his worſt enemies."

Piracy of Kydd.

It was now the grand object of the Commons to ſeek out ſome plauſible ground of accuſation againſt the Lord Chancellor, knowing, that, if he fell, the Adminiſtration of which he was the ſole animating principle muſt inevitably fall with him. Fortunately, as they conceived, for their purpoſe, an incident occurred at this period much too trivial for the notice of hiſtory, had it not acquired an adventitious importance by the political uſe made of it in order to fix a ſtigma upon an illuſtrious character, which could not hope in ſuch circumſtances, although "as chaſte as ice, as pure as ſnow," to eſcape the envenomed ſhafts of calumny.

Great complaints having been made, during the late war, of the depredations committed by pirates on the American coaſt; a ſcheme was formed at the ſuggeſtion of the Earl of Bellamont, Governor of New York, to fit out a ſhip of war by private ſubſcription in order to make repriſals upon theſe depredators. The King himſelf countenanced the ſcheme; and the Lord Chancellor, the Duke of Shrewſbury, the Lords Romney and Orford, &c. on being applied to, did not think it becoming them to refuſe their aſſiſtance. And on the recommendation of Lord Bellamont, one Kydd, a native of New York, the maſter of a ſloop, who had the reputation of being both bold and honeſt, was appointed captain of the ſhip, which mounted thirty guns, and to which the name of the Adventure Galley was given. This veſſel was furniſhed, beſides the uſual commiſſion given to privateers, with a power under the Great Seal, authoriſing Kydd the commander to make war upon and deſtroy the pirates infeſting the American and other ſeas. The choice however of the Captain proved very unfortunate; for, inſtead of making war upon the pirates, he immediately turned pirate himſelf; and, commanding a ſhip of great force, he became for a conſiderable time the terror of the American and Indian ſeas. At length being apprehended by the vigilance of Lord Bellamont, he was ſent to England for trial.

BOOK IV.

1699.

Malignant accuſations againſt Lord Somers.

This affair being eagerly and abruptly brought into the Houſe of Commons; a motion was made, December 6, 1699, "that the letters patent granted to the Earl of Bellamont, and others, of pirates' goods were diſhonorable to the King, againſt the Law of Nations, contrary to the Laws and Statutes of this Realm, invaſive of property, and deſtructive of trade and commerce." In the debate which enſued, the moſt malignant imputations were caſt upon the noblemen engaged in this undertaking, as concerned in "a ſcheme of robbing and piracy;" and the Lord Chancellor was the peculiar object of invective and reproach, as a Magiſtrate placed at the head of the higheſt department of Juſtice, which he had "diſgraced by his participation in an enterpriſe ſo ſcandalous; and which was ſaid to be framed on a mere pretence of public ſervice, but in truth for the ſake of ſpoil—thoſe who were too tender-conſcienced to commence pirates in the firſt inſtance, finding no repugnance to ſharing among themſelves that which had been unjuſtly taken from others." But ſuch was the charm attached to the lofty and undeviating integrity of the Chancellor's character, that it was aſſailed by the rage of faction in vain. The Houſe ſeemed to feel, that the diſgrace and diſhonor of ſuch an accuſation could appertain only to thoſe who countenanced it; and the motion was, on a diviſion, negatived by a great majority. The Commons however thought fit to preſent an Addreſs to the King, praying, "that Kydd might not be pardoned, tried, or diſcharged, till the next Seſſion of Parliament;" to which the King promiſed compliance: and to finiſh the hiſtory of this wretched buſineſs, it may be proper to add, that Kydd, being many months after brought to the bar of the Houſe, declared, "that he had never in his life ſpoken to Lord Somers; and that he had no order from thoſe concerned in the ſhip but to proſecute his voyage againſt the pirates in the high ſeas." The Houſe now left him to his fate; and he was in a ſhort time afterwards hanged, with divers of his accomplices.

Boiling ſtill with indignation againſt the Chancellor, the malignants in the Houſe now brought forward another charge againſt him, for having made a partial and undue diſtribution of Commiſſions of the Peace,

Peace, and for invidiouſly ſtriking out the names of many perſons of great property and reſponſibility. On enquiry it appeared, that at the period of the Aſſaſſination Plot it was deemed expedient to exclude thoſe from the Commiſſion who refuſed to ſign the National Aſſociation. But this was ſo far from being the perſonal act of the Chancellor, that the gentlemen in queſtion were turned out in conſequence of the expreſs order of Council, grounded on the repreſentations of the Lords Lieutenants of the ſeveral Counties. The Houſe contented itſelf, therefore, with preſenting an Addreſs to the King, importing, "that it would much conduce to the ſervice of his Majeſty and the good of this Kingdom, that gentlemen of quality and good eſtates be *reſtored* and put into the Commiſſions of the Peace and Lieutenancy; and that men of ſmall eſtates be neither continued nor put into the ſaid Commiſſions." To which Addreſs, preſented by the whole Houſe, the King replied, "He was of the opinion, that men of the beſt quality and eſtates were moſt proper to be entruſted in the Commiſſions of the Peace and Lieutenancy; and that directions ſhould be given accordingly."

The ſame ill-humor, though directed to a very inferior object, diſplayed itſelf in the motion made for an Addreſs to the King to diſplace Burnet, Biſhop of Sarum, from his office of Preceptor to the Duke of Gloceſter, which he had filled with great diligence and diſintereſtedneſs. This was however over-ruled by a conſiderable majority.

Severe Penal Act againſt the Papiſts.

As in the courſe of the laſt Seſſion an Addreſs was preſented to the Throne to put the laws in force againſt Popiſh Recuſants, &c. in order to throw an odium upon the Whig Miniſters as men regardleſs of the intereſts of religion; that buſineſs was from the ſame motives now revived by the Tories; and a dreadfully ſevere Bill brought in under the ſanction of a Committee, of which Mr. Howe, one of the moſt virulent Jacobites in the Houſe, was Chairman, by which a ſentence of baniſhment was inflicted upon all Popiſh Prieſts and Schoolmaſters, on pain of perpetual impriſonment, in caſe of their return; and a reward of 1000 l. offered for their apprehenſion. It alſo enacted, that no Papiſt

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born after the 25th March, 1700, be capable of inheriting either title or eſtate; or of purchaſing lands, &c. either in his own name or in truſt for another, within the realm. But the moſt extraordinary clauſe of the Bill was that which required all Papiſts poſſeſſing eſtates in land to take the Oaths of Allegiance and Supremacy and the Teſt when they attained to the age of eighteen; till when the eſtate was to devolve to the next of kin that was a Proteſtant. The party who moved this Bill preſumed, that the Whigs, conformably to their general maxims of indulgence and toleration, would not fail to oppoſe it with vigor, and thereby expoſe themſelves to popular obloquy. But ſelf-preſervation was now their primary object; and, abandoning all conſiſtency of principle, they applauded and patroniſed the Bill with all the madneſs of party rage—each faction ſtriving which ſhould exceed the other in deviſing new clauſes of iniquity and barbarity. Under theſe circumſtances it rapidly paſſed the Houſe of Commons, and from the operation of the ſame motives it proceeded with equal facility through that of the Lords. With a blindneſs of intellect which would excite our pity were not pity loſt and abſorbed in indignation, Biſhop Burnet informs us, "that he was for this Bill, notwithſtanding his principles *for* toleration, and *againſt* all perſecution for conſcience ſake. He had always thought, that if a Government found any ſect in religion incompatible with its quiet and ſafety, it might, and ſometimes ought to ſend away all of that ſect with as little hardſhip as poſſible."—A principle of policy which would furniſh juſt as valid a pretence for the expulſion of the Moriſcoes from Spain, or the Huguenots from France, as of the Papiſts from England. It is grievous to relate that this infamous Bill, which a more enlightened Legiſlature has with generous unanimity repealed, paſſed with national approbation; though its malignity was happily in a very great degree counteracted by the ſuperior wiſdom and beneficence of the Executive Power.

East India affairs.

Another ſubject of chagrin and vexation to the Whigs in the preſent ſeſſion was the conduct of the Houſe of Commons relative to the affairs of India. Although the Houſe would not venture on a meaſure ſo dangerous

dangerous as the revocation of the Charter granted by the laſt Parliament to the new Company, their competitors of the Old Eſtabliſhment were encouraged anew to repreſent their caſe to the Legiſlature, and to petition for an Act to prolong their exiſtence as a Company to the end of the term of twenty-one years ſpecified in their preſent Charter. The new Company publiſhed a Counter-Repreſentation expreſſed in very bitter language; but their invectives and reproaches were fatal to their arguments. Paſſion is a more active principle than reaſon; and ſuch an oppoſition only contributed, by exciting diſguſt and reſentment, to facilitate the paſſing of the Bill. Mr. Montague, their great patron, was no longer lord of the aſcendant; his eloquence had loſt its efficacy; and this remarkable Bill, which eſtabliſhed in fact two Eaſt India Companies, finally received the ſanction of the Houſe of Lords and the aſſent of the King.

It was a favorite object of the Court to obtain a vote of approbation from Parliament for the meaſures taken to gratify the commercial jealouſy of the Engliſh Nation in oppoſition to the Scottiſh Settlement of Darien. Even in this they could not ſucceed. For, though the Houſe of Lords were prevailed upon, not without difficulty, and on a cloſe diviſion of thirty-two to twenty-ſix Peers, to reſolve, "that the Settlement of Darien was inconſiſtent with the good of the Plantation trade of this Kingdom," and to ground an Addreſs to the King thereupon; the Commons obſtinately refuſed to concur: for they knew that the project was hopeleſs; and they would take off no part of the odium, neceſſarily incurred upon the occaſion, from the King. But a pamphlet being publiſhed, entitled "An Enquiry into the Miſcarriage of the Scottiſh Settlement at Darien," reflecting upon the honor of the King and of the two Houſes of Parliament; it was voted to be a falſe, ſcandalous and traitorous libel, and ordered to be burnt by the common hangman. The King received the Addreſs of the Lords very graciouſly. He aſſured them that he ſhould always have a very great regard for their opinion—that he would never be wanting by all proper means to promote the advantage and good of the trade of England—at the ſame time he expreſſed

BOOK IV.

1700.

Bill to treat concerning an Union.

preſſed a great concern and tenderneſs for his Kingdom of Scotland, and a deſire to advance their intereſt and proſperity. And he embraced anew the opportunity of inculcating very earneſtly the propriety and neceſſity of an Union of the two Kingdoms, in order to contribute effectually to the ſecurity and happineſs of both. In conſequence of this recommendation, the Lords did actually prepare and ſend down a Bill to the Commons, appointing certain Commiſſioners of the Realm of England to treat with Commiſſioners of Scotland for the weal of both Kingdoms. But the Commons, being in no better diſpoſition to comply with this meaſure than with the former, could not be prevailed upon to proſecute or approve it *.

Report relative to Iriſh Forfeitures.

But the point on which the party in oppoſition to the Court laid the moſt ſtreſs, and which the Nation ſeemed to be moſt concerned in, was the reſult of the enquiry made by the Parliamentary Commiſſioners into the Iriſh Forfeitures, with a view to a general reſumption. Of theſe Commiſſioners, ſeven in number, four were "diſpoſed to put every circumſtance to the torture, in order to inflame the report," and three were inclined to ſoften and conciliate; or, as the induſtrious and diligent hiſtorian Ralph expreſſes it, "three were for the Court, under the pretence of candor and moderation." In conſequence of this difference of ſentiment, the report of the Commiſſioners was ſigned by the four anti-courtiers only. This remarkable report ſtated, that the number of perſons outlawed on account of the late rebellion in Ireland amounted to 3921—that the lands belonging to the forfeited eſtates contained 1,060,792 acres—that ſome of theſe lands had been reſtored to the old proprietors by virtue of the Articles of Limerick and Galway—by reverſal of outlawries and royal pardons—obtained chiefly by thoſe who had abuſed his Majeſty's compaſſion. Beſides theſe reſtitutions, there were ſeventy-ſix grants and cuſtodiums under the Great Seal of Ireland, of which they made a recital. Amongſt the number was a grant to Lord Romney of 49,517 acres; Lord Albemarle 108,633; William

* Ralph, vol. ii. p. 849.

Bentinck,

Bentinck, Esq. Lord Woodstock 135,820; the Earl of Athlone 26,480; the Earl of Galway 36,148, &c. &c. The Commissioners acknowledged that the estates in question did not yield so much to the grantees as they were estimated at; for, as they had imposed upon his Majesty, so their agents had imposed upon them; and sold or let the lands at a rate much below their real value. After all deductions and allowances, there yet remained 1,699,343 l. 14 s. which they laid before the Commons as the gross amount of the estates forfeited since the 13th day of February 1689, and not restored." The Committee concluded their report by the invidious statement of a grant, which they acknowledged did not fall within the *letter* of their Enquiry, made under the Great Seal of Ireland, May 30, 1695, to Mrs. Elizabeth Villiers, now Countess of Orkney, of ALL the private estates of the late King James, containing 95,649 acres, estimated, at the expiration of the present leases in 1701, at 25,995 l. 18 s. per annum. Certainly, to judge by the enormity of this grant, the King's attachment to this Lady must have been uncommonly violent. Upon the whole it appeared, that the grants were, with very few exceptions, conferred without knowledge or discrimination; that gross impositions had been practised; and that the King himself was liable to the censure of suffering the royal bounty to degenerate into the most wild, careless and capricious profusion.

Bill of Resumption.

The House of Commons in a violent ferment immediately resolved, "that a Bill be brought in to apply all the forfeited Estates and Interests in Ireland, and all grants thereof, and of the rents and revenues belonging to the Crown within that Kingdom, since the 13th February, 1689, to the use of the Public." A clause was subsequently inserted for the erection of a Court of Delegates, to determine claims touching the said forfeited estates—under cover of which clause they farther resolved, "that they would not receive any petitions whatever against the provisions of this Bill." The Courtiers durst not oppose any of these proceedings; and the House, having fixed unalterably upon their plan, were now at leisure to enter upon the examination of the Commissioners at the bar of the House, which it had been ineffectually suggested by

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ſome of the Members ought in propriety and equity to have preceded the Bill. After a long and tedious inveſtigation, the Houſe came to the ultimate reſolution, "that Francis Anneſley, John Trenchard, James Hamilton and Henry Langford, Eſqrs. *four* of the Commiſſioners for the Iriſh forfeitures, had acquitted themſelves with underſtanding, courage and integrity." This was an implied cenſure on the Earl of Drogheda, Sir Francis Brewſter, and Sir Richard Leving, the three diſſentient Commiſſioners—and the Houſe went ſo far as to vote the laſt-named of theſe to be the author of groundleſs and ſcandalous aſperſions reſpecting the Commiſſioners who had ſigned the report—and to commit him thereupon priſoner to the Tower.

After a long acquieſcence, the Courtiers ventured to move, that a certain proportion of the forfeitures be reſerved to the diſpoſal of his Majeſty. This proportion had been fixed at a third in the former Bill, which the Houſe had perfected, and ſent up to the Lords ſome years before. But the Houſe, being at preſent differently conſtituted, would not admit of the ſame rule of proceeding. It was thought a ſufficient reply, that the grantees had enjoyed theſe eſtates ſo many years, that the mean profits did ariſe to more than one third of the value. And a negative was not only put upon the motion, but two additional reſolutions were thereupon paſſed: "1ſt, That the adviſing, procuring and paſſing the grants of the forfeited and other eſtates in Ireland, had been the occaſion of contracting great debts upon the Nation, and levying heavy taxes on the People. 2dly, That the adviſing and paſſing the ſaid grants was highly reflecting on the King's honor. And the officers and inſtruments concerned in the procuring and paſſing the ſaid grants had highly failed in the performance of their truſt and duty." One point only, dictated chiefly by the ſpirit of retaliation and revenge, were the Courtiers able to carry—which was the obtainment of an order for bringing in a Bill to reſume the grants of all lands and revenues of the Crown, and all penſions granted by the Crown ſince the 6th of February 1685, being the day of King James's acceſſion, and for applying the ſame to the uſe of the public. An Addreſs founded upon the reſolutions laſt recited

was

was preſented to his Majeſty, January the 21ſt, 1700, to which the King gave the following anſwer: "Gentlemen, I was not led by inclination, but thought myſelf obliged in juſtice to reward thoſe who had ſerved well, and particularly in the reduction of Ireland, out of the eſtates forfeited to me by the rebellion there. The long war in which we were engaged did occaſion great taxes, and has left the Nation much in debt; and the taking juſt and effectual ways for leſſening that debt, and ſupporting public credit, is what in my opinion will beſt contribute to the honor, intereſt, and ſafety of this kingdom." On the report of this anſwer from the Chair, a vehement debate enſued; and the Houſe came at the cloſe of it to the reſolution, "that whoever adviſed his Majeſty's anſwer to the Addreſs of the Houſe, has uſed his utmoſt endeavor to create a miſunderſtanding and jealouſy between the King and his People."

This famous Bill of Reſumption, being ſtyled a Bill of Supply, and appropriated to the diſcharge of certain ſpecific debts, &c. was, by an arbitrary exertion of power now grown too common, *tacked* to—or, in the more faſhionable phraſe, *conſolidated* with, the Land-tax Bill; and in that ſtate carried up to the Lords. The forcible expedient reſorted to by the Commons to enſure the paſſing of the Bill, gave great and juſt umbrage to the Peers, who ventured to make ſeveral alterations in the ſame, not affecting the money clauſes, which were nevertheleſs unanimouſly rejected by the Commons, who aſſigned in a paper delivered to their Lordſhips their reaſons for ſo doing. The Peers producing at a ſubſequent conference counter-reaſons in ſupport of their amendments, the Committee of the Commons, inſtead of making any reply, ſignified that their orders were to return the Bill, and leave it with their Lordſhips. This threw the Houſe into a flame: many of the Peers ſeemed determined to reject the Bill and riſque the conſequences. On the queſtion whether the Houſe ſhould adhere to their amendments, the Contents were 43, Non-contents 53; and the Bill finally paſſed, with the ſullen acquieſcence of the Court, by a majority of 59 to 34 voices, accompanied by a ſtrong and indignant proteſt.

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The leaders of the Houſe of Commons, conceiving the oppoſition of the Lords to derive its chief weight from the Chancellor, moved by way of intimidation an Addreſs to his Majeſty for the removal of John Lord Somers from his Preſence and Councils for ever. This was carried in the negative by a great majority. But a reſolution ſtill more obnoxious paſſed the Houſe at the ſame time, to addreſs the King, that no perſon who was not a native of his dominions, the Prince of Denmark excepted, be admitted to his Majeſty's Councils in England or Ireland. But before this Addreſs could be preſented, the King came to the Houſe of Peers April the 11th, 1700; and, after paſſing the bills in readineſs, commanded the Earl of Bridgewater, in the abſence of the Chancellor, who was indiſpoſed, to prorogue the Parliament, which was accordingly done without a Speech—his Majeſty thinking there was no room for the uſual expreſſions of ſatisfaction or gratitude; and not chooſing to give any public proof of diſcontent or reſentment *.

In his private diſpatches to Lord Galway, written ſhortly after the riſing of Parliament, the King ſays: "You may judge what vexation all their extraordinary proceedings gave me; and I aſſure you, your being deprived of what I gave you with ſo much pleaſure is not the leaſt of my griefs.——There have been ſo many intrigues in this laſt ſeſſion, that, without having been on the ſpot and well informed of every thing, it cannot be conceived.——I never had more occaſion than at preſent for perſons of your capacity and fidelity. I hope I ſhall find opportunities to give you marks of my eſteem and friendſhip."

* The celebrated Prior, at this time Under Secretary of State to Lord Jerſey, in a letter to the Earl of Mancheſter, dated February the 12th, 1700, ſays, "To-morrow is the great day, when we expect that my Lord Chancellor will be fallen upon; though God knows what crime he is guilty of, but that of being a very great man, and a wiſe and upright Judge." In a ſubſequent letter, dated April the 10th, he ſays, "God knows how this buſineſs will turn, or where this violence of the Houſe of Commons will end.——Our friend"—meaning Mr. Montague—"has ſaid nothing of late in the Houſe of Commons. My Lord Chancellor is very *ſick*.—This is the abregé of our caſe." April the 11th—"You ſee what they would have done to my Lord Chancellor, and how Duke Schomberg and Lord Portland ſuffer in their Addreſs that ſtrangers ſhould not be Privy Counſellors.—Upon the main we have life for ſix months longer, *et alors comme alors*."

The

1700.

Diſmiſſion of Lord Somers.

The King, being now fully reſolved at any rate to effect an accommodation with the Tories, informed Lord Somers on his firſt appearance at Court after recovering from his indiſpoſition, that it ſeemed neceſſary for his ſervice that he ſhould part with the Great Seal; and he wiſhed he would make it his own act. But this the Lord Chancellor with great dignity refuſed—ſince in his circumſtances, he ſaid, a reſignation muſt be ſuppoſed to indicate fear or guilt. An order was therefore formally ſent to him by Lord Jerſey, and the Great Seal delivered up April 17, 1700. The Chief Juſtice Holt and the Attorney General Trevor both declining the acceptance of it, Sir Nathan Wright, a man in no reſpect equal to that exalted ſtation, and much leſs to the illuſtrious perſonage whom he ſucceeded, was appointed Lord Keeper. The diſmiſſion of Lord Somers was immediately followed by the reſignation of the Duke of Shrewſbury, the laſt of the great Whig Miniſters. The Earl of Jerſey took the key of Chamberlain, and Mr. Vernon officiated *pro tempore* as Secretary of State for both departments.

Affairs of Scotland.

The ſpirit of national reſentment and animoſity in Scotland ſeemed ſtill to rage with unabated, or rather with increaſing, violence. In the month of December 1699, the Council General of the Company wrote to Lord Seafield, "that they had prevailed on Lord Baſil Hamilton to go up to London with an Addreſs to his Majeſty in behalf of thoſe men who were confined at Carthagena; and they requeſted that the Secretary would introduce Lord Baſil to the King, and aſſiſt in obtaining a gracious anſwer." Lord Seafield replied, "that his Majeſty did not refuſe the petition, but could not allow Lord Baſil to be the preſenter of it—that Nobleman not having yet *owned* his Majeſty's Government." In a ſhort time official notice was given to the Privy Council of Scotland, "that his Majeſty, though he had refuſed acceſs to Lord Baſil Hamilton, was reſolved to demand the releaſement of the priſoners at Carthagena from the Spaniſh Court.—And that it was his Majeſty's intention to advance the trade of Scotland, and to allow the ſubjects of that kingdom the ſame liberty of commerce that others enjoyed with the Engliſh Plantations." The Directors of the Company wrote a ſecond letter

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letter to Lord Seafield, "expreſſing their deep regret that Lord Baſil ſhould be refuſed acceſs to the King—he being perfectly verſed in the ſtate of their affairs, and provided with ample inſtructions concerning them—adding, that they never heard his Lordſhip had done any thing inconſiſtent with the duty of a loyal and peaceable ſubject." The King, however, perſiſted in his reſolution not to admit Lord Baſil into his preſence; and his Lordſhip ſhewed equal perſeverance in the proſecution of his ſuit. On his actually offering a Memorial to his Majeſty on paſſing to the Council Chamber, and attempting to addreſs him on the ſubject, the King, as we are told, with ſome marks of reſentment repreſſed his importunity. Upon which Lord Baſil with a reſolute air and tone of voice exclaimed, "I have a right to be heard, and I will be heard!" The King, turning to the Nobles around him, ſaid, "This young man is too bold, if any man can be too bold in the cauſe of his country."

In the month of March 1700, the Marquis of Tweeddale preſented an Addreſs in the name of the Scottiſh Nation, ſigned by an innumerable multitude, petitioning and almoſt inſiſting upon "a ſpeedy Seſſion of Parliament, in order that the Indian and African Company of Scotland might be enabled to proſecute their undertaking with greater aſſurance and better ſucceſs than they had hitherto been able to do." In anſwer to which, the King engaged that the Seſſion ſhould not be poſtponed beyond the month of May. And on the 21ſt of that month, the Parliament was accordingly opened by the Duke of Queenſberry, Lord High Commiſſioner, with a moſt gracious letter from his Majeſty, aſſerting his royal intention to have held the ſeſſion in perſon, had the ſtate of affairs abroad permitted; and expreſſing his very great concern at the misfortunes and loſſes the Nation had ſuſtained in their trade; and promiſing to concur in any meaſures calculated to promote and encourage it. And the Lord Commiſſioner, in his ſpeech, aſſured the Parliament, that he knew his Majeſty's mind to be ſo favorably diſpoſed, that there was a certainty of obtaining any thing that could be in reaſon aſked on this head. But theſe ſoothing declarations ſeemed to produce little effect. In a ſhort time a ſtrong and inflammatory remonſtrance was preſented

from the Darien Company, reciting all the loſſes, diſappointments and hardſhips they had ſuſtained. This was followed by petitions and addreſſes of the ſame kind from all parts of the kingdom. And a reſolution being moved, "that the Colony of Caledonia in Darien was a legal and rightful ſettlement, in the terms of the Act of Parliament of 1695; and that the Parliament would maintain and ſupport the ſame:" the Commiſſioner, to avoid the conſequence of ſuch a vote, immediately adjourned the Parliament for three days. But all his endeavors in that interval to extinguiſh, or even to moderate, the flame which raged ſo fiercely, were ineffectual. The Parliament met again in the ſame ferment, and with the ſame diſpoſition as before—ſo that his Grace was compelled, by a dangerous and invidious exerciſe of the prerogative, to adjourn them for twenty days more. This ſtep the Lord Commiſſioner condeſcended to apologiſe for, in a plauſible and popular ſpeech, in which he declared, "that as he was ever firm and faithful to his King, ſo he was ever zealous for the honor and intereſt of his country—and that he had hoped at this time to do acceptable ſervice to both.—He told them, that he had power and inſtructions for every thing that appeared neceſſary or convenient for the good and advantage of the Nation as to their religion, property, liberty, trade; and particularly what could be of moſt ſolid uſe to the African and Indian Company. But ſeveral things having occurred wherein he found himſelf obliged to conſult his Majeſty, he was under the neceſſity of adjourning Parliament for ſome days." But in the preſent paroxyſm of enthuſiaſm, all theſe arts of conciliation were vain. The majority of the Members met that very evening, and framed an Addreſs to the King in a high ſtrain, rather "beſieging than beſeeching" the Throne—and demanding that Parliament ſhould meet on the day to which it was then adjourned, and to ſit as long as might be neceſſary for redreſſing the grievances of the Nation. This was preſented to the King by Lord Roſs, June 11th, 1700, at the head of a deputation appointed for that purpoſe: and they received for anſwer, "that they ſhould know his intentions in Scotland." In the interval, the Parliament had been again adjourned by proclamation, on which great tumults had enſued in the city of Edinburgh; and the malcontent

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malcontent Members talked of fitting by force. The boldeſt language was unreſervedly uſed; the Nation was ſaid to be out of the protection of the Crown—and, if another Convention had been in this criſis called, there was reaſon to believe that the throne would have been a ſecond time declared vacant.

Juſtly alarmed at this ſtate of things, the King at laſt wrote (July 26) to the Lord Commiſſioner a remarkable letter, afterwards publiſhed by authority, in which he declared, "that if it had been poſſible for him to have agreed to the Reſolve offered to aſſert the right of the African Company, he had readily done it for the ſatisfaction of his People—That he was truly ſorry for the Nation's loſs, and moſt willing to concur with his Parliament in every thing that could be reaſonably expected of him, for aiding and ſupporting their intereſts—and for demonſtrating his hearty inclinations to advance the wealth and proſperity of that his Majeſty's ancient kingdom—That he was confident this declaration would be ſatisfying to all good men, who would certainly be careful both of their own preſervation and of the honor and intereſt of the Government, and not ſuffer themſelves to be miſled, nor to give advantage to enemies and ill-deſigning perſons ready to catch hold of any opportunity, as their practices did too manifeſtly witneſs."—This declaration produced a ſenſible effect upon the minds of all who were capable of reflection: and though a ſecond violent National Addreſs was ſigned, the Parliament had met before it could be preſented, and the King wiſely referred it to their conſideration. The King's letter to the Parliament, at the re-commencement of the ſeſſion, was conceived in the ſofteſt and moſt inſinuating terms, engaging to give the royal aſſent to all ſuch bills as ſhould be offered to him for the better eſtabliſhment and ſecurity of the religion, liberty, and commerce of the Nation, ſo that nothing ſhould be wanting on his part to make his People contented and happy.

Another warm and angry repreſentation was nevertheleſs preſented from the Darien Company, the very firſt day of the renewed ſeſſion, which was immediately followed by the ſecond National Addreſs. But the

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ſtorm now began viſibly to abate. The Parliament ſaw that the loſs the Nation had ſuſtained, however great, was irretrievable. They could not but perceive the extreme difficulty of the King's ſituation; and if his conduct was not wholly to be vindicated, it doubtleſs claimed the moſt candid conſtruction, and admitted of the greateſt palliation. What better could be done than, forgetting the paſt, to embrace and improve the preſent favorable diſpoſition of the Court to enact laws and eſtabliſh regulations ſuch as the ſtate of the kingdom required—ſuch as were moſt conducive to the permanent welfare and proſperity of the country? Theſe public conſiderations, corroborated no doubt by others of a more private nature, happily prevailed. The indignant humor of the Parliament and even of the Nation gradually ſubſided: and when the great queſtion of Supplies came under diſcuſſion, January 21, 1701, a loyal cheerful vote paſſed, "that, in conſideration of their great deliverance by his Majeſty, and that, next under GOD, their ſafety and happineſs depended wholly on the preſervation of his Majeſty's perſon and the ſecurity of his Government, they would ſtand by and ſupport both his Majeſty and his Government to the utmoſt of their power; and maintain ſuch forces as ſhould be requiſite for thoſe ends." To ſum up the whole, this factious and turbulent ſeſſion had a calm and peaceful cloſe; and the Lord Commiſſioner, after the riſing of Parliament, was honored by an high and unuſual compliment with the order of the Garter, and the Earl of Argyle with a Dukedom; in acknowledgment of the eminent ſervices performed by them in the courſe of this arduous buſineſs.

State of Europe.

It is now neceſſary to advert to the ſtate of affairs in the northern kingdoms of Europe, where, about this time, very ſtriking ſcenes began to unfold themſelves, of leſs moment indeed to England than thoſe of the South, but by no means unconnected with her national and political intereſts.

Chriſtiern V. King of Denmark had departed this life about the cloſe of the preceding ſummer (1699), and was ſucceeded by his ſon Frede-

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ric IV. who, with the aſpiring views common to Princes, immediately conceived, and was impatient to carry into execution, great and extenſive views of aggrandiſement. Finding a perfect concurrence of ſentiment in all the Powers bordering on the ſouthern ſhores of the Baltic, a grand Confederacy was formed, of which the Czar of Muſcovy, the Kings of Poland and Denmark, and the Elector of Brandenburg, were the high contracting parties, and which had for its object a joint and general attack upon the kingdom of Sweden, then under the government of Charles XII. a youth of eighteen years of age, and whoſe great and heroic qualities were as yet unknown to the world, and probably to himſelf. According to the plan concerted by the confederate Powers, Sweden was to be aſſailed, at one and the ſame time, in Holſtein by the King of Denmark, in Weſtern Pomerania by the Elector of Brandenburg, in Livonia by the King of Poland, and in Ingria and the provinces lying eaſtward of the Gulph of Finland by the Czar of Muſcovy. Holſtein was not indeed a province of Sweden, but the Duke of Holſtein had married the elder ſiſter of the King of Sweden; and was united in the cloſeſt bonds of alliance and friendſhip with that Monarch. On pretences too futile to enumerate, the King of Denmark entered the territories of the Duke, and laid cloſe ſiege to Toninghen.

The King of Sweden had not been inattentive to the dangers which threatened him. In the month of January this year (1700) he had concluded a Treaty with the Maritime Powers, in which the contracting parties engaged for the reciprocal guarantee of each other's dominions: and the King of England reſolved to maintain, by the moſt vigorous meaſures, the dignity of his character as the general guardian and mediator of Europe. The King of Denmark, knowing the ſituation of affairs in Great Britain, was indiſcreet enough publicly to ſay, "that while the King of England was at variance with his Parliament, he would be able to do but little in Europe." This being reported to King William, that Monarch obſerved to the Marquis de Foret, a Saxon nobleman attached to the Daniſh Court—"that he would make Denmark know he was ſtill able to do

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ſomething in Europe." A formidable fleet was immediately equipped both in the Engliſh and Dutch ports: and in July 1700 Sir George Rooke, who was appointed to the command, arrived in the Sound—and being ſoon after joined by the Swedes, the combined ſquadrons conſiſted of no leſs than fifty-two ſhips of the line of battle. The Daniſh fleet, unable to reſiſt ſo great a force, retired within the harbor of Copenhagen; and that metropolis was ſubjected to the inſult of a ſlight bombardment.

The Dukes of Lunenburg, acting in concert with England and Holland, at the ſame time paſſed the Elbe with a large body of troops, and, joining the Swediſh and Ducal army, obliged the Danes to raiſe the ſiege of Toninghen. The King of Denmark now declared his willingneſs to accept the mediation of the Maritime Powers in conjunction with France, and requeſted the Engliſh Admiral to deſiſt from all farther hoſtile operations. But Sir George Rooke replied, that, though to effect a permanent accommodation was the great object of his expedition, he had no power to agree to any temporary ceſſation. In the beginning of Auguſt the King of Sweden landed in perſon on the iſle of Zealand, and preparations began to be ſeriouſly made for the ſiege of the Daniſh metropolis. But the Engliſh commander not diſplaying all the alacrity which the impatience of the King of Sweden thought the occaſion called for, ſome warm expoſtulations are ſaid to have fallen from the lips of that Monarch—to which Sir George Rooke coolly replied, "I was ſent here to ſerve your Majeſty, not to ruin the King of Denmark."

Treaty of Travendahl.

His Daniſh Majeſty was now ſufficiently humbled to accept the mediation of the Maritime Powers without the concurrence of France—and a treaty of peace was ſigned under their guarantee, at a houſe of the Duke of Holſtein, called Travendahl, in the neighborhood of both camps, Auguſt 18th, 1700, on the principle of mutual reſtitution—the King of Denmark paying to the Duke of Holſtein 260,000 rix-dollars for the charge of the war. The fleets of England and Holland did not leave the Baltic till the Swediſh armies had reached in ſafety their native ſhores. They then returned in triumph from this memorable expedition,

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which entitled the King of England, beyond all diſpute, to the glorious appellations of pacificator and arbiter of the North*.

Death of the Duke of Glocester.

An event happened in the courſe of this ſummer, which excited great and univerſal concern. The Duke of Gloceſter, only ſon of the Prince and Princeſs of Denmark, a youth of promiſing hopes, had completed his eleventh year on the 24th of July 1700, on which occaſion a gala had been celebrated at Windſor. In conſequence it was thought of being over-heated with dancing, he was ſeized the next day with a malignant fever, for which cordials were preſcribed by the phyſicians, apparently with no other effect than to inflame the diſorder. And on the 30th of the month he expired at midnight, to the inexpreſſible grief of his parents, being the only ſurviving child of a very large family. On this melancholy cataſtrophe, the eyes of the nation were turned to Sophia, Electreſs Dowager of Hanover, youngeſt daughter to the Queen of Bohemia, and grand-daughter of King James I. This Princeſs was already by implication next in ſucceſſion to the crown, after the Princeſs of Denmark, the Catholic branches of the Royal Family being excluded by act of Parliament. The Electreſs, on receiving this intelligence, immediately repaired to the Hague, in order to confer with the King on the meaſures neceſſary for the preſent ſecurity and eventual eſtabliſhment of the Proteſtant ſucceſſion in the Houſe of Brunſwick.

The ſecond Treaty of Partition, which the King was vainly anxious to conceal, was by this time generally known throughout the kingdom, and almoſt as generally condemned. It was ſaid, that ſo important an affair ought not to have been concluded without the advice of Parliament—

* To ſome modern Miniſters it may well appear incredible, but Biſhop Burnet aſſures us that the Baron de Pleſſe, confidential Miniſter to the late King of Denmark, not chooſing, at the acceſſion of the new King, to engage in what the *infamous flatterers* of the Court no doubt ſtyled "a juſt and neceſſary war," voluntarily reſigned his employments—which he had filled with great ability and reputation. The Biſhop ſtyles him "one of the ableſt and worthieſt men he ever knew;" but when things were taking another courſe, and the path of rectitude was to be abandoned, he ſhowed, by an illuſtrious example, that "the poſt of honor was a private ſtation."

that it was a violation of faith, as contrary to the conditions of the League of Augſburg—that unleſs concerted with the King of Spain, it was unjuſt in the contrivance and hazardous in the execution—that the terms granted to France were prejudicial to the intereſts of this country, and deſtructive to the balance of power; as the poſſeſſion of Naples and the Tuſcan ports muſt ſubject Italy to their yoke, whilſt the ceſſion of Guipuſcoa afforded them an inlet into the heart of Spain.

The almoſt extinguiſhed hopes of the Jacobites revived at the political diſcontents of the nation, taken in connection with the death of the Duke of Gloceſter. And Mr. Graham, brother to Lord Preſton, was diſpatched to St. Germaine's with a propoſal to ſettle the Crown by Act of Parliament on the pretended Prince of Wales; and an aſſurance that the King would not be ſupported in the execution of the Partition Treaty. But the Court of St. Germaine's, as the Earl of Mancheſter aſſerts in his diſpatches, would never liſten to any propoſition which implicated a change of religion in the Prince;—the King and Queen having declared they would rather ſee him in his grave.

The conduct of the Court of Verſailles, ſince the concluſion of the ſecond Treaty of Partition, had been in the higheſt degree artful and inſidious; whilſt that of the Imperial Court was in the ſame proportion weak and irreſolute. The Emperor perſiſted in refuſing to accede to the Treaty of Loo, though no vigorous or effectual ſteps were taken to enſure the ſucceſſion to the Archduke, againſt the formidable combination of France and the Maritime Powers. "The grand dependance of the Court of Vienna," as M. de Villars informs us, "was upon what they were pleaſed to call 'the miracle of the Houſe of Auſtria;' and a multitude of examples were cited concerning that auguſt Houſe, which, when apparently ready to fall, had raiſed itſelf, after being loſt to all hopes." It was not that men of genius and talents were wanting, but the reigning Monarch had not the faculty of diſcerning them. The Count de Jerguer, in particular, declared "that he had aſſuredly a very ſtrong belief of *paſt* miracles, but that, as to preſent ones, he was altogether ſceptical.

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tical.—That he looked upon the King of Spain as dead; and that their reſolutions ought to be as deciſive as if they expected to receive the news of it to-morrow. He regarded all compromiſe as impracticable; and it was his opinion that they ought to prepare for war." But the Imperial Court ſtill continued to heſitate and temporize, and by a policy neither warlike nor pacific ſhe forfeited the advantages of both.

In the mean time the Marquis of Harcourt continued his intrigues at Madrid with the greateſt addreſs and aſſiduity. He had entirely gained over to the intereſt of France the major part of the Spaniſh Nobles, who were perſuaded that France was the only power which could preſerve the Spaniſh Monarchy from diſmemberment, which of all things the Spaniſh pride moſt dreaded. The Queen of Spain, aunt to the Archduke, who had hitherto been moſt zealous in the cauſe of the Houſe of Auſtria, began to perceive that ſhe was ſtriving in vain againſt the current. The Council of Spain, with the ſingle exception of the Count d'Acquilar, had reſolved, "that the beſt advice they could give his Majeſty was, to declare a Prince of France to be his ſucceſſor." The Queen knew her unpopularity both with the Nobles and the Nation at large—her violent and rapacious conduct had alienated the hearts of all from the Germans—and fearing that France would be ultimately ſucceſsful in ſpite of all the oppoſition ſhe was able to raiſe, it appeared time to conſult her own intereſt and ſafety by a reconciliation with the predominant party.

The King of Spain was now drawing apace to the cloſe of his miſerable life: and the reflection that a Prince of the Auſtrian line muſt owe his chief ſupport to heretics, was thought much to affect his weak and ſuperſtitious mind. Cardinal Porto-Carrero, for the repoſe of the King's conſcience, adviſed him to conſult the Pope on this momentous point of regulating the ſucceſſion. Innocent XII. who was firmly attached to France, after taking the opinion of a College of Cardinals, determined againſt the validity of Queen Maria Tereſa's renunciation, as being "founded on compulſion, and contrary to the fundamental laws

laws of the Spaniſh Monarchy; and exhorted his Catholic Majeſty to make his will in favor of one of the French King's grandſons, by which he would effectually contribute to the propagation of the Faith and the repoſe of Chriſtendom." As ſoon as this infallible deciſion was procured, the Cardinal of Toledo redoubled his efforts to perſuade the King his maſter to act in conformity to it. And having at length fixed the wavering diſpoſition of the King, a new teſtamentary arrangement took place, dated October 2d, 1700; by which the Monarchy of Spain, with all its dependencies in the four quarters of the globe, were left to the Duke of Anjou, ſecond ſon of the Dauphin; and in default of iſſue to his brother the Duke of Berri, and next to the Archduke Charles. As the laſt extreme of even regal imbecility and folly, it deſerves mention, that among other forfeitures of the Crown ſpecified in the Will of the King of Spain as conditions impoſed upon his ſucceſſors, is the denial of the doctrine of the immaculate conception of the Virgin Mary.

Demiſe of the King of Spain.

Although nature appeared wholly exhauſted, and the art of medicine could no longer afford the ſmalleſt relief, the King lingered a few weeks after ſigning this new will; and breathed his laſt on the 1ſt of November 1700. An expreſs was immediately diſpatched to the Court of France with the intelligence of this important event. In two hours after its arrival, a Council was held in Madame Maintenon's apartments. The King of France was, or affected to be, irreſolute as to the acceptance of the will; and the majority of the Miniſters of State preſent gave their opinion in favor of adhering to the Treaty. But the Dauphin declared the honor of France to be ſacrificed in refuſing the bequeſt; and Madame de Maintenon aſked, with an air of impatience, "What had the Duke of Anjou done to provoke the King to bar him of his right of ſucceſſion?" The King at length yielded; on which great joy was expreſſed; and ſending for the Duke of Anjou, he ſaid to him in the preſence of the Marquis des Rios, "Sir, the King of Spain has made you King. The Grandees demand you, the People wiſh for you, and I give my conſent. Render yourſelf worthy of the Throne you are going to mount." The Dauphin triumphantly declared, that it ſhould be

Violation of the ſecond Treaty of Partition by France.

his

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his glory to ſay, "the King my father, and the King my ſon." All the Princes of the blood came to congratulate the new Sovereign, who ſet out early in December (1700) accompanied by his two brothers, to take poſſeſſion of the Kingdom. On parting, the King of France exclaimed, "Il n'y a plus de Pyrenées!"

Its political conſequences.

In the diſpatch written on this event by the Earl of Mancheſter to the Earl of Jerſey, the Ambaſſador ſays, "that M. de Torcy informed him, the King of France had well conſidered the occaſion and intent of the late Treaty with England; which was to prevent a war in Europe—that the refuſal of the Emperor to accede to the Treaty, and the diſcontents that had ariſen in England and Holland in conſequence of it, had convinced the King his maſter of the neceſſity of accepting the will of the King of Spain in favor of the Duke of Anjou—that it was certain the Treaty was more advantageous to France, and was what the King wiſhed; but that, in order to carry it into execution, whole Kingdoms muſt be conquered—the Spaniards being reſolved not to ſuffer the diſmemberment of the Monarchy.—Finally, that the King of France hoped that the ſtrength of theſe reaſons would ſo far prevail with the King of England, that there might ſtill be the ſame good underſtanding as ever, which was ſo neceſſary for the good and quiet of Europe." To this urgent diſpatch, in which the Ambaſſador requeſted deciſive inſtructions in what manner to act, an anſwer was returned by Secretary Vernon, coldly expreſſing, "that the King muſt be allowed to conſider what might be the conſequence of ſo ſudden a change, and to learn the ſentiments of other Princes and States who are equally concerned in the preſervation of the balance of power in Europe."

On his return to England in the month of October (1700), the King made ſuch arrangements as he had concerted, in order to eſtabliſh the aſcendency of the Tories in the Adminiſtration. Lord Godolphin was reſtored to his former poſt in the Treaſury; Lord Tankerville made Privy Seal in the room of Lord Lonſdale deceaſed; the Earl of Rocheſter was appointed Lord Lieutenant of Ireland; Sir Charles Hedges conſtituted

ſtituted Secretary of State; and in order that the eloquence of Mr. Montague might be for ever ſilenced where it had the greateſt ſcope for exertion, and would be attended with moſt effect, he was created a Peer by the title of Baron Halifax. BOOK IV. 1700.

The new Miniſters thinking their intereſt would be ſtrengthened by a re-election, a diſſolution immediately took place; and a new Parliament was ſummoned for the 6th February 1701. In the interval very important negotiations were carrying on with redoubled aſſiduity in the different Courts of Europe. The King of France had now taken a decided and irrevocable part. His higheſt ambition was gratified in ſetting his grandſon on the throne of Spain with the unanimous approbation of the Spaniſh Nation: and as he well knew that the point of honor with them conſiſted in preſerving the unity of the Monarchy, he reſolved not to liſten to any propoſal of diſmemberment; though otherwiſe really deſirous of maintaining the peace of Europe, and willing to give any reaſonable ſecurity as a pledge of his ſincerity.

The obſtinate ſilence of the King of England was calculated to excite the moſt ſerious apprehenſions of the Court of Verſailles, which ſeemed to regard the menaces of the Emperor with contempt. Holland however required all the arts and refinements of management; and a Memorial preſented by M. Heemſkirke, the Dutch Envoy at Paris, complaining of the violation of the late Treaty, was anſwered with great ability, the anſwer being afterwards publiſhed as a ſort of Manifeſto. In this paper it is maintained, "that the execution of the Treaty would have produced infinite troubles—that while his Moſt Chriſtian Majeſty obſerved the *ſpirit*, he was not liable to the leaſt imputation for abandoning the letter—that the ſame motive which had induced him to make the Treaty had induced him to accept the Will, viz. the deſire of peace—that all the diſadvantage ariſing from this change of meaſures redounded to himſelf—that his Majeſty had therefore reaſon to believe his allies would praiſe his moderation rather than complain of his conduct.—The people of Spain receive, with the peace, him whoſe

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birth, the diſpoſition of the late King, and the univerſal wiſhes of all the Eſtates of the Monarchy call to the Crown."

In the month of December (1700) the Count de Tallard came to England as Ambaſſador of France, and, being admitted to an audience of the King at Hampton-court, delivered to him a letter from his Moſt Chriſtian Majeſty. The Count was received with cold and diſtant civility—the King of England expreſſing in general terms his deſire "that all the world ſhould be ſatisfied of his diſpoſition to preſerve the public tranquillity." The Ambaſſador anſwered, "that his maſter had the ſame inclination to peace, and thought he had given a proof of it by accepting the King of Spain's Will." The King replied drily, "that he did not underſtand how that could be made out." In a diſpatch to M. Briord, the King of France, whoſe practice it was to correſpond with his Miniſters perſonally, inſtructs the Envoy to inform himſelf of the deſigns of Holland, and obſerves, "that the alacrity which appears at preſent in the negotiations carrying on with the Princes of the Empire differs widely from the dilatorineſs of the ſame Penſioner when negotiating with the ſame Princes to bring them into the Partition Treaty." And in a following diſpatch, dated December 24 (1700), he ſays, "It is certain the King of Great Britain will find great oppoſition from his Parliament in caſe he is diſpoſed to carry things to a rupture."—And he expreſſes great anxiety for the evacuation of the Spaniſh barrier towns by the Dutch garriſons. On the ſuppoſition that the preſent differences might be accommodated conformably to the propoſal of M. Lillieroot, he declares, "that one of the articles of the new alliance ought to contain a proviſion for the withdrawment of the ſaid troops, on which condition he would engage not to replace them with any of his ſo long as the alliance ſubſiſted *."

The Elector of Bavaria, Governor of the Low Countries, on the death of the Spaniſh Monarch had without heſitation acknowledged

* Cole's State Papers. Letter of Secretary Vernon to the Earl of Manchester.

the

the validity of the Will, and been forward in his profeſſions of zeal and attachment to his ſucceſſor.

At this period died Pope Innocent XII. and Cardinal Albani was, at fifty-three years of age, unexpectedly raiſed to the Pontificate in his ſtead, by the name of Clement XI.; and though not accounted one of the French faction, and even oppoſed in his election by the French Cardinals, the Court of Verſailles had the addreſs entirely to gain him over in a ſhort time to their intereſts.

The Emperor in the mean while, aſtoniſhed at the fatal turn things had taken, fell into all the perplexities and uncertainties which great diſappointments, great pride, and great weakneſs always occaſion. Determined at length by paſſion, not by policy, and, wholly deſtitute of preſent ſupport, upon meaſures of hoſtility, he iſſued his Imperial Mandate to the inhabitants of the Milaneſe, re-claiming that duchy as a fief of the Empire, and commanding all perſons to yield obedience to the ſame as his feodatories, on pain of being treated as rebels. "The French," according to the repreſentations of the Earl of Mancheſter, "held his impotent efforts in contempt—yet they reſolved to take right meaſures in caſe of the worſt." At the end of December 1700, Count Wrattiſlau arrived in London as Ambaſſador Extraordinary from the Emperor. He did not, as it appears, at the firſt meet with a very flattering reception. But the whole tenor of the negotiation carried on at Paris and Madrid demonſtrating that no material conceſſion was to be expected from France; and, what appears to have affected very ſtrongly the feelings of the King of England, the Dutch garriſons being expelled from the barrier towns, and French troops introduced; the Court of London began in earneſt to liſten to the propoſitions tranſmitted from Vienna *.

Such

* The King of France, in his diſpatch of December the 24th, 1700, to Monſieur Briord, ſays, "Means muſt be uſed to diſlodge the Hollanders, and to leave the Spaniards in the ſole poſſeſſion of their own towns." On the 6th of February 1701, a number of French troops were introduced into all the barrier towns, from Luxemburg to Oſtend and Nieuport, with ſo much ſecrecy that the Dutch officers in thoſe places had not the leaſt previous ſuſ-

picion

BOOK IV.

1701. Seſſion of Parliament.

Such was the ſtate of affairs when the new Parliament met at Weſtminſter on the 10th of February 1701. On the preliminary conteſt on the choice of a Speaker, it was carried in favor of Mr. Harley by 249 voices to 125 who declared for Sir Richard Onſlow—a clear demonſtration of the great predominance of the Tory intereſt. In his ſpeech to both Houſes, the King took notice of the "neceſſity of a farther proviſion for the ſucceſſion to the Crown in the Proteſtant line. The death of the late King of Spain," ſaid the Monarch, "with the declaration of his ſucceſſor to that Monarchy, has made ſo great an alteration in the affairs abroad, that I muſt deſire you very maturely to conſider their preſent ſtate. And I make no doubt but your reſolutions thereupon will be ſuch as ſhall be moſt conducive to the intereſt and ſafety of England, the preſervation of the Proteſtant religion in general, and the PEACE of all EUROPE." The reſt of the ſpeech conſiſted of the common-place topics of ſupplies, regulation of trade, unanimity and vigor, &c. except a recommendation to the Houſe to "conſider what *augmentation* may be requiſite for the navy, which is the great bulwark of the Engliſh nation—and ought, at this conjuncture moſt eſpecially, to be put into a good condition."

Predominance of the Tories.

Debates reſpecting the Spaniſh ſucceſſion.

The ſeſſion ſeemed to open with happy omens. A reſolution paſſed by a great majority, "that the Houſe would ſtand by and ſupport his Majeſty and his Government, and take ſuch effectual meaſures as might beſt conduce to the intereſt and ſafety of England, the preſervation of the Proteſtant religion, and the PEACE of EUROPE." The laſt words were objected to by Seymour, Howe, Muſgrave, and others of the party, who affirmed, that they had an ambiguous ſignification, and, in their opinion, portended war. Terms were ſometimes, it was remarked, inverted, and this was ſuch a ſort of an oracle as Janus himſelf might have delivered. This being made a teſt of party, a diviſion enſued, and the clauſe in queſtion was confirmed by a majority of eighteen voices only, the numbers being

picion of the deſign; and the next day an apologetic memorial, moſt ably drawn, was preſented to the States General, ſtating the reaſons for this meaſure, and declaring it was no longer poſſible to leave the troops of their High Mightineſſes in the fortreſſes of a King whom they did not own."

being 181 againſt 163. The Court of France ſeemed alſo to be much ſtaggered at this ſpecies of double reſponſe. The Earl of Mancheſter ſays to Secretary Vernon, "They have the King's Speech at this Court. I hear they do not know what to make of it, and ſtill ſuſpect us."

In the mean time the States General, being repeatedly preſſed upon the ſubject by France, thought proper to recogniſe in form the new King of Spain; of which they appriſed the Court of London in a memorial, which the King ordered to be laid before the Houſe. In this paper their High Mightineſſes declare, "that, notwithſtanding the recognition made by them, they had reſerved to themſelves the liberty of ſtipulating in the negotiation about to commence for ſuch conditions as were neceſſary *to ſecure the peace of Europe*—that in this negotiation they had firmly reſolved to do nothing without the conſent of his Majeſty and the other Powers intereſted in the maintenance of the peace; as they had declared to the Ambaſſador of France. And finally, being apprehenſive of a ſudden attack, they make a requiſition of the ſuccors due to them by the exiſting treaties."

The Commons on this communication voted, without heſitation, an Addreſs to the King, "that he would be pleaſed to enter into ſuch negotiations in concert with the States General and other Potentates as might moſt effectually conduce to the general ſafety; and giving him aſſurances of ſupport and aſſiſtance in the performance of his engagements." It having been ſuggeſted in the diſcuſſion, that it might be no leſs proper for England than Holland to own the title of the King of Spain; Mr. Monkton, a zealous Whig, with great heat replied, "that if ſuch a vote was carried, he ſhould expect that the next vote would be for *owning* the pretended Prince of Wales." In the preſent temper of the Houſe, this extraordinary ſally was much applauded, and produced no inconſiderable effect.

With the Dutch Memorial was alſo preſented to the Houſe an intercepted paper, purporting to be a letter from the Earl of Melfort, the diſcarded

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carded Secretary at the Court of St. Germaine's, to his brother the Earl of Perth, Governor of the young Prince, full of wild and incoherent projects, endeavoring to ſhew how favorable an aſpect the affairs of the King then wore, and urging the propriety of ſome "great and vigorous attempt againſt England.—But this," he ſays, "will never be done by a Proteſtant Miniſter"—meaning the Earl of Middleton—"lazy in his temper, an enemy to France by his inclinations, tainted with common-wealth principles; and againſt the King's returning by any other power than that of the People of England, and upon capitulations and terms—who is ſuſpected of giving aid to the *Compounders*, if not worſe." This contemptible epiſtle, which exhibits the character of the Earl of Melfort, who had ſo long poſſeſſed the real confidence of the Court of St. Germaine's, in a moſt degrading point of view, in the preſent juncture anſwered the purpoſe of the Court of London, by increaſing and inflaming the political animoſity againſt France. The Commons do not appear to have thought it worthy of ſpecific notice; but the Lords preſented an Addreſs of Thanks to his Majeſty, for communicating to them the Earl of Melfort's letter; and deſiring that Popiſh Recuſants ſhould be removed from London, &c.

The Court of Verſailles were highly offended at the uſe made of this letter, which M. de Torcy told the Earl of Mancheſter "was *intended* to incenſe the nation, and ſhewed a *deſire* of breaking with France." He repreſented Lord Melfort as a deſpicable perſon, who had no credit at Verſailles, or even at St. Germaine's—and, upon the whole, he ſeemed to conclude, that the Court of London *meant* to enter into a war. In order, nevertheleſs, to give every reaſonable ſatisfaction on this head, the Earl of Melfort was baniſhed by a *lettre de cachet* to Angers.

High demands of the Maritime Powers.

In conſequence of the late Addreſs of the Commons, followed by a vote for 30,000 ſeamen, the Courts of London and the Hague aſſumed a very lofty tone; and inſtructions were tranſmitted to Mr. Stanhope, Reſident in Holland, to enter into an immediate negotiation with the Miniſters of France and Spain, upon the conditions therein ſpecified—importing,

ing, not only that the French troops ſhall evacuate the Spaniſh fortreſſes, but that Nieuport and Oſtend ſhall be put into the hands of the Engliſh—and Luxemburg, Namur, and Mons, to which the States General thought proper to add Venlo, Ruremonde, Stavenſwart, Charleroi, Dendermonde, Damme, and St. Donat, with their appurtenances, be conſigned to their High Mightineſſes, during ſuch time as ſhall be agreed upon—with various other demands, which, when communicated to M. D'Avaux, appeared ſo extravagant, that he declared they could not have been higher if his maſter had loſt four ſucceſſive battles.

The King of France, perceiving no proſpect of peace on moderate terms while harmony ſubſiſted between the King and Parliament of England, is charged with uſing corrupt and clandeſtine means to involve the Engliſh in domeſtic broils, in order to embarraſs the meaſures of the Court. The prodigious influx of louis-d'ors and piſtoles at this period is a fact admitted by all; and the mercantile ſolution, founded on the pretended favorable courſe of exchange, is ſcarcely ſufficient to obviate the jealous apprehenſions of the politician. Biſhop Burnet aſſerts, though his characteriſtic credulity and careleſſneſs reduce his authority very low, "that the packet ſeldom came without 10,000 louis-d'ors, and often more—that the nation was filled with them, and that in ſix months' time a million of guineas was coined out of them." From the unqueſtionable evidence of a Proclamation, publiſhed February 5th, 1701, it appears, that theſe coins were in very extenſive circulation—and his Majeſty, being, as the Proclamation expreſſes, "deſirous to prevent the damage that may accrue to his good ſubjects by the great quantity of ſuch French louis-d'ors and Spaniſh piſtoles as have been of late imported into this kingdom, and received for more than their intrinſic value, orders that they ſhall not hereafter paſs for more than ſeventeen ſhillings each."

Certain it is, that at this period the temper and diſpoſition of the Houſe of Commons ſuſtained a ſudden and unexpected change. But it muſt at the ſame time be admitted, that there exiſted internal and political cauſes apparently not inadequate to the effects produced. The great body of the

BOOK IV. 1701.

Tories were ſtill diſſatisfied with the Miniſterial arrangements, from which ſeveral of the moſt popular and diſtinguiſhed leaders of the party, Seymour, Muſgrave, Howe, &c. were excluded. Though animated in a certain degree by the national reſentment againſt France, and ſolicitous to obtain ſatisfaction and ſecurity, they were deſirous to avoid the folly and danger of a war, the object of which, carried on in conjunction with the Emperor, muſt be not ſecurity but conqueſt. The balance of power in Europe was alleged to be in danger by the cloſe political union of the two Monarchies of France and Spain under the Houſe of Bourbon. The Maritime Powers, combined with Auſtria, reſolved therefore to humble the pride and diſmember the territories of that formidable Houſe. But if they were able to do this, the balance of Europe was not in danger—and if they had not the ability, it muſt be the extreme of folly to riſque the attempt. But the Whigs, who were inſpired by greater zeal againſt France, and at the ſame time eager to recover the ground they had loſt with the King, entered into the views of the Court without conſtraint or difficulty—and, if the war now in contemplation ſhould receive the ſanction of the Nation, there was reaſon to apprehend they would quickly regain their aſcendency. The Tories therefore determined, while yet the ſuperior party, to aim ſuch a blow at the heads of their antagoniſts as they ſhould never be able to recover.

On the 10th of March 1701, a motion was made in the Houſe of Lords, where the attack was deſtined to begin, to take into conſideration certain papers previouſly laid before their Lordſhips, relative to the negotiations carried on under the late Whig Adminiſtration; and a committee was nominated to make a report of the contents. This committee, of which the Earl of Nottingham was chairman, and the moſt active members of which conſiſted of determined Tories or diſcontented Whigs, brought forward a number of reſolutions, on which the Houſe, taken as it ſeems by ſurpriſe, grounded an Addreſs to the King, ſtrongly condemning the Partition Treaty, which no one indeed pretended entirely to juſtify. The Earl of Rocheſter and the other Miniſters preſent concurring in this Addreſs, the Whig Lords in connection with the Court, who were very numerous,

merous, acquieſced, ſeeing that the Addreſs was ſo worded as to avoid all perſonal attack upon the late Miniſters, but rather containing an exculpation of them as not having been admitted to a participation of the counſels which produced it. Very few of the Peers attended the Lord Keeper on the preſentation of this Addreſs to the King, who evaſively replied, "that it contained matter of great moment, and that he would always take care that the treaties made by him ſhould be for the honor and ſafety of England."

But this was only the prelude to what was ſoon to follow in the grand ſcene of political action, in the Lower Houſe; where, on the 21ſt March (1701), an Addreſs was voted "to thank the King for his communications reſpecting the ſtate of the negotiation;" and the Whigs propoſing to add, "and for his Majeſty's care of theſe Nations and the PEACE of EUROPE," one of the moſt violent debates ever known in the Houſe of Commons took place, in which the political ſyſtem of the Court was attacked with the utmoſt ſeverity, and the Partition Treaty reprobated in terms of the extremeſt virulence. It was ſtyled by Mr. Howe "A FELONIOUS TREATY,"—and it was ſaid to be not more iniquitous than impolitic. The queſtion being at laſt referred to a diviſion of the Houſe, it was carried in the negative by 193 to 187 voices—notwithſtanding the inſidious ſupport of the Tories in office, who profeſſed to regard the words as merely complimentary.

Having obtained this victory, the leaders of the Oppoſition next moved, inſtead of the clauſe rejected, to lay before his Majeſty "the ill conſequences of the Treaty of Partition to this Kingdom and the PEACE of EUROPE." This being agreed to without a diviſion; a Committee was appointed to draw up an Addreſs conformably thereto; in which, after returning thanks to the King for acquainting the Houſe with the ſtate and progreſs of the negotiations now pending, they go on to ſay, "which method had your Majeſty been adviſed to take before the Treaty of Partition was perfected, which was paſſed under the Great Seal of England during the ſitting of Parliament, and without advice of the

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ſame, we had been prevented from laying before your Majeſty what we are now bound in duty, though with grief, to do—to which Treaty may juſtly be aſcribed the dangers which now threaten both this Kingdom and the PEACE of EUROPE." The King felt a reſentment on this occaſion which he had too much diſcretion to expreſs, and contented himſelf with a vague anſwer of the "manifold benefits which would ariſe from the concurrence of Parliament in all his negotiations for the happineſs of his People and the PEACE of EUROPE."

The Earl of Mancheſter, in animadverting upon this incident, informs Mr. Vernon, that M. de Torcy told him "the language of the Engliſh Parliament reſpecting the King of France had been ſomewhat extraordinary; but he found the King of England himſelf was not much better uſed." On the laſt day of March the King informed the Houſe by meſſage, "that the negotiation already ſeemed to be at an end; by the refuſal of the French Ambaſſador to give any other anſwer to the demands made in his name and that of the States General, than an offer to renew and confirm the Treaty of Ryſwic; and that the States had made a formal requiſition of the ſuccors due to them by treaty, viz. 10,000 troops and twenty ſhips of the line. And his Majeſty deſires the Commons will give him ſuch advice thereupon as may be for our own ſecurity, and that of the States General and the PEACE of EUROPE." In return the Commons adviſed to carry on the negotiations in concert with the States, and aſſured his Majeſty, "that they would enable him to fulfil the conditions of the exiſting Treaty."

At this period, and not before, the King of Spain thought fit by a letter in his own hand to notify his acceſſion to the King of England—it being thus long delayed, doubtleſs, leſt a public affront ſhould be put upon him by a refuſal to receive it. But after the public recognition of his Catholic Majeſty by the States General, it was intimated to the Spaniſh Court, "that ſuch a notification would be acceptable;" and it was anſwered by a letter from the King of England (dated April 17, 1701) expreſſed in very gracious and highly complimentary terms.

The

1701.

The Lords Portland, Orford, Somers, and Halifax impeached.

The affair of the Partition was now reſumed with great violence by the Houſe of Commons; and the papers which related to the negotiations at Loo were ſcrutiniſed with all the keenneſs of wit ſharpened by malice. Of the debates which enſued it is needleſs to ſpeak; the ſubſtance of them has been abundantly anticipated. As the ultimate reſult of the whole, it was reſolved by the Houſe, "that the Earls of Portland and Orford, and the Lords Somers and Halifax, be IMPEACHED at the bar of the Houſe of Lords of HIGH CRIMES and MISDEMEANORS." The reſolution againſt the Earl of Portland was carried without a diviſion: againſt Lord Orford the numbers were 193 to 148; Lord Somers, 198 to 188; Lord Halifax, 186 to 163: thus with groſs partiality paſſing over the Earl of Jerſey, Secretary of State; and Sir Joſeph Williamſon, Reſident at the Hague—who were privy to the whole tranſaction, and involved in the ſame community of guilt.

Pending the debates, and previous to paſſing the Vote of Impeachment, Lord Somers deſired to be heard in his own defence—and a chair being placed for him within the bar, he firſt ſat down covered, according to the ceremonial uſed on ſuch occaſions; and afterwards riſing and remaining uncovered, he entered into ſo maſterly and eloquent a vindication of his conduct, that; had the queſtion been immediately put, it was believed he would have been acquitted by a great majority. He admitted "that the King had aſked the advice of his confidential ſervants upon this occaſion; and that his Majeſty had even informed him, that if he and his other Miniſters thought that a Treaty ought not to be made upon ſuch a project, then the whole matter muſt be let fall, for he could not bring the French to better terms. His Lordſhip pleaded, that it would have been taking too much upon himſelf if he ſhould have put a ſtop to a Treaty of ſuch conſequence—Had the King of Spain died before it was finiſhed, and the blame been caſt upon him for not ſending the neceſſary powers, he could not have juſtified himſelf, ſince the King's letter was a warrant. At the ſame time he wrote his own opinion very fully to his Majeſty, objecting to many particulars, and propoſing ſeveral things for the advantage and intereſt of

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England. Soon after the powers were tranſmitted by him, the Treaty was concluded, to which he affixed the Great Seal, as he thought himſelf bound to do—Thus as a Privy-Counſellor he offered to the King his beſt advice, and as Chancellor he had diſcharged his acknowledged and official duty. The King's letter was not indeed a formal, though a real warrant—but he did not think it became him to endanger the Public by laying any ſtreſs on a point of form, at ſo critical a time, and when the greateſt diſpatch was requiſite."—After all, a certain degree of blame muſt attach itſelf to this great man for his conduct in this buſineſs; and the ultimate deciſion being left to him, he could not avoid contracting a heavy reſponſibility. Knowing or believing the Treaty to be fraught with ruinous conſequences, it was his duty at all hazards to reſiſt; and the commands of the King can never be conſtitutionally pleaded in vindication or even palliation of the ſlighteſt dereliction of duty.

Immediately conſequent to the Votes of Impeachment a motion was made, to which all the previous proceedings had reference, and for which alone they were probably inſtituted, "to preſent an Addreſs to his Majeſty to remove the Lords Somers, Orford, Portland, and Halifax, from his preſence and councils for ever." The queſtion being firſt put relative to Lord Somers, it was carried in the affirmative by 162 to 107 voices: the reſt without a diviſion.

The Houſe of Lords, who too late ſaw their error, were now rouſed to ſome exertion, and voted in their turn an Addreſs to the King, praying, "that the Lords impeached at the bar of their Houſe may not have any cenſure paſſed upon them until they are tried upon the ſaid Impeachments, and judgment be given according to the uſage of Parliament and the law of the land." This Addreſs the King received in profound ſilence; not willing to ſay what might be diſpleaſing to the Lords on the one hand, or, which was much more anxiouſly to be guarded againſt, to do what might irritate the Commons on the other. And as the Great Council of the Nation, it ſeemed clearly within the

province

province of the Repreſentatives of the People to pronounce upon the competency of the Lords impeached to be hereafter employed in the public ſervice, whether their offences came within the letter of the criminal code of Parliament or not. The Addreſs of the Commons was received by the King, who ſtill paid vain court to the Tories, with apparent complacency; and he aſſured them "he would employ none in his ſervice but ſuch as ſhall be thought moſt likely to improve mutual truſt and confidence, which was ſo neceſſary in the preſent juncture."

The Houſe of Commons, having now obtained the real purpoſe for which the impeachments were brought forward, appeared in no haſte to proceed with the trials, but applied their attention to the providing ſupplies, which were granted with great liberality, and to the other neceſſary buſineſs of the ſeſſion.

The Houſe, in a Grand Committee, taking into conſideration the ſtate of the Civil Liſt, and the ſavings made by the non-payment of the 50,000l. per annum allotted as a dower to James's Queen; of 30,000l. per annum fallen in by the deceaſe of Catherine Queen Dowager, and of 20,000l. per annum by the death of the Duke of Gloceſter, came to a reſolution to apply 100,000l. per annum of the royal revenue to the current ſervice. On the report, this reſolution was combated by the whole ſtrength of the Whig party; but it was at length, to the great chagrin of the Court, carried by 214 to 169 voices.

In conſequence of the clauſe in the King's Speech recommending a farther proviſion for the ſucceſſion of the Crown in the Proteſtant line, the Houſe, to the confuſion of the Jacobites, with great unanimity reſolved: "1ſt, That it is abſolutely neceſſary a farther declaration and limitation be made of the ſucceſſion to the Crown. 2dly, That farther proviſion be firſt made for the ſecurity of the rights and liberties of the People—and LASTLY, that the Princeſs Sophia, Ducheſs Dowager of Hanover, be declared the next in ſucceſſion to the Crown of England." Act of Settlement.

A Bill

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A Bill was immediately introduced in conformity to theſe reſolutions; and a great variety of conſtitutional limitations and reſtrictions impoſed upon the future inheritors of the Crown: of which the chief were, "that no foreigner, although he be naturalized or made denizen, ſhall be capable of enjoying any office or truſt civil or military; or of holding any grant of lands from the Crown; that the Nation be not obliged to engage in any war for the defence of any dominions or territories not belonging to the Crown of England; that no perſon hereafter poſſeſſing the Crown of England ſhall go out of the realm without conſent of Parliament; that no perſon holding an office under the King, or receiving a penſion from the Crown, ſhall be capable of ſitting in the Houſe of Commons; that all future poſſeſſors of the Crown ſhall join in communion with the Church of England; that no pardon be pleadable in bar of an impeachment; and that the Judges' Commiſſions be made *quamdiu ſe bene geſſerint*." Theſe limitations do honor to the Tories, whoſe intereſt it was at this time to keep on fair terms with the Court, and who could not but be ſenſible that ſome of them muſt appear to reflect on the conduct of the reigning Sovereign.

Having gone ſo far—perhaps in ſome points farther than a pure patriotiſm would have dictated—they ſtill ſtopped ſhort of the goal of political rectitude. For the intereſt of the Nation evidently required, that a foreign Prince inheriting the Crown of England ſhould at the moment of *his acceſſion* relinquiſh his foreign territories—or, if the ſacrifice were deemed too great, the Crown thus declined ought to devolve to the next in ſucceſſion. The famous Toland, in a political Treatiſe publiſhed at the commencement of this ſeſſion, contends for the reaſonableneſs of eſtabliſhing at this critical juncture whatever terms the intereſt of the Nation demanded. "Being," as he ſays, "to *elect* a ſucceſſor, the Nation might be allowed the ſame liberty which the Spaniards took in beſtowing their Crown; to chooſe out of the Houſe of Hanover, or that of Brandenburg, which of the ſons they pleaſed—and recommends it to be well weighed, whether we ought to make any of thoſe Princes Kings of England, without obliging them at the ſame

time

time to renounce their foreign dominions."—"For," ſays he, "if our Crown ſhould fall upon either of thoſe families, they will fall under mighty temptations to enlarge their dominions beyond ſea, in order to make the communication betwixt their old and new dominions more ſpeedy and eaſy. This the family of Hanover may attempt, by falling down upon the Elbe and Weſer, and ſwallowing up Hamburg, BREMEN, VERDEN, &c.—All theſe things, how remote and chimerical ſoever they may ſeem at preſent, ought to be conſidered.—If the Prince upon whom we devolve our Crown does not think it worth his while to grant us ſuch ſecurity, I am of opinion that it will not be worth our while to court ſuch a Governor." BOOK IV. 1701.

The Act of Settlement, with its attendant limitations, paſſed with national applauſe. It had nevertheleſs to encounter an oppoſition of a ſingular nature, originating in a very remote quarter. ANNE of ORLEANS, Ducheſs of Savoy, of the blood-royal of England by Henrietta her mother, youngeſt daughter of Charles I. was beyond all queſtion, according to the law of hereditary ſucceſſion, heireſs of the Crown of England, on the excluſion of James and his immediate deſcendants. The Ambaſſador of Savoy, by order of this Princeſs, delivered a paper to the Speaker of the Houſe of Commons, in which ſhe declares, "that ſhe gladly embraces the occaſion which offers, to diſplay to the People of England the pride ſhe takes in the right ſhe derives from her deſcent to that auguſt throne."——After ſtating her *inconteſtable pretenſions*, ſhe concludes with proteſting againſt every deliberation and deciſion which ſhall be contrary thereto. The conduct of the Duke of Savoy had been ſuch, that the chagrin diſcovered on this occaſion by the Court of Turin excited rather pleaſure than ſympathy—and the PROTEST itſelf was deemed too inſignificant for notice. The Earl of Macclesfield was deputed by the King to carry the joyful intelligence, with the inſignia of the Order of the Garter for the Elector, to the Court of Herenhauſen; where he was received with the higheſt marks of diſtinction, and rewarded with very rich and ſplendid preſents.

Several

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Angry diſputes between the two Houſes.

Several weeks having elapſed without any progreſs made in the buſineſs of the impeachment; the Lords thought proper by meſſage to remind the Commons, that articles had not yet been exhibited againſt the Peers impeached. This was by no means a welcome hint—but they replied, that articles were preparing; and in a ſhort time they were actually preſented at the bar of the Lords. The accuſed Peers in a very few days made their anſwer. On the 21ſt of May (1701) another meſſage came from the Lords, preſſing the Commons to give in their replication, and proceed to trial; and repreſenting the hardſhips of delay to the perſons accuſed. The Commons took fire at this, and informed their Lordſhips "that they had prepared a replication to Lord Orford, but choſe to defer the carrying it up, becauſe, from the nature of the evidence, they choſe to proceed with the trial of Lord Somers firſt—affirming in a high tone their right, as proſecutors, to be the proper judges of the time of conducting their own proſecution." The ſame day the replication to Lord Somers was reported; and ordered to be engroſſed. And in the interim the Lords apprized them by meſſage, "that they had appointed the 9th of June (1701) for the trial of Lord Orford; aſſerting, that the right of limiting a time for avoiding delays in juſtice was lodged in them." A very warm altercation and repeated conferences on various points of order enſued, till the Commons were provoked to complain, "that they had been obliged to ſpend that time in anſwering their Lordſhips' meſſages, which would have been otherwiſe employed in preparing for the trials, ſo that the delay muſt be charged to thoſe who gave occaſion for it."

At the laſt of the conferences, Lord Haverſham having intimated his opinion that the Commons were chargeable with groſs partiality in the buſineſs of the impeachments, and that the plea of juſtice was only a maſk to cover their real deſign, the Managers on the part of the Commons inſiſted on breaking up the conference; and the Houſe, on their report, paſſed a vote, "that John Lord Haverſham had uttered moſt ſcandalous reproaches and falſe expreſſions, highly reflecting on the honor and juſtice of the Houſe of Commons:" and on being invited by

the

the Lords to renew the conference, they returned for anſwer, "that this was not conſiſtent with their honor, till they had received reparation for the indignity offered by Lord Haverſham." Notice being ſent from the Lords, that the trial of Lord Somers, now, according to the deſire of the Commons, firſt in the order of precedence, was fixed for the 17th of June; the Commons abſolutely refuſed to attend, aſſigning as their reaſons: 1ſt, The unprecedented refuſal of their Lordſhips to conſent to the appointment of a Committee of both Houſes for the ſettling the neceſſary preliminaries. 2dly, The want of a ſatisfactory aſſurance, that Lords impeached of the ſame crimes ſhall not ſit in judgment upon each other. 3dly, Becauſe they have received no reparation for the great indignity offered to them at the laſt conference by Lord Haverſham. And a reſolution paſſed the Houſe, that no Member do preſume to appear at the place erected for the *pretended trial* of Lord Somers. No accuſers, therefore, ſtanding forward to ſupport the charge, it was moved, and carried on a diviſion of 56 to 31 voices, that John Lord Somers be acquitted of the articles exhibited againſt him, and that the impeachment be diſmiſſed. The Lords Portland, Orford and Haliſax were in like manner acquitted and diſcharged. And recollecting the impeachment exhibited againſt the Duke of Leeds in the year 1695, and which had lain ſo many years dormant, they thought it reaſonable to extend the indulgence of the Houſe to him; and his Grace was by a verdict of acquittal exonerated from the burden, though not from the reproach, of the impeachment. The Commons retorted upon the Upper Houſe, by paſſing reſolutions importing "that the Lords had refuſed juſtice upon the impeachment of John Lord Somers, and that, by the pretended trial of the ſaid Lord Somers, they have endeavored to ſubvert the right of impeachment."

Kentiſh Petition.

In the midſt of the diſpute, or rather quarrel, of the two Houſes, an extraordinary petition was preſented from the Juſtices of the Peace, Grand Jurors and Freeholders aſſembled at the General Quarter Seſſion of the County of Kent, urging the Houſe, in language daring and arrogant, to come to ſpeedy and deciſive reſolutions in ſupport of the

 meaſures

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measures recommended from the Throne. "We moſt humbly implore this Honorable Houſe," ſay the petitioners, in concluſion, "to have regard to the voice of the People, that our religion and ſafety may be effectually provided for—that your loyal Addreſſes may be turned into Bills of Supply, and that his Moſt Sacred Majeſty, whoſe propitious and *unblemiſhed* reign over us we pray GOD long to continue, may be enabled powerfully to aſſiſt his allies before it is too late." The Houſe, exaſperated at the boldneſs of this petition, or rather remonſtrance, voted it to be "ſcandalous, inſolent and ſeditious." The perſons, five in number, who were delegated to deliver the petition into the hands of Sir Thomas Hales, Member for the County of Kent, in order to its being preſented to the Houſe, being called to the bar, owned it to be their petition, and that they had ſet their names to it; and ſhewing no diſpoſition to apologiſe for the ſame, they were committed priſoners to the Gatehouſe; where they lay to the end of the ſeſſion, viſited by great numbers of perſons, and loudly applauded by the Whig party, who were now rapidly recovering their popularity and aſcendancy, as meritoriouſly ſuffering for their public ſpirit and patriotiſm the moſt odious and barbarous oppreſſion.

The current began to ſet ſtrongly for a war with France; and the Commons made themſelves many enemies, and incurred much reproach for their indiſcreet and paſſionate conduct in this trivial buſineſs—and yet more ſerious cenſure for their groſs and diſgraceful partiality in the higher and weightier affair of the impeachments.

In the courſe of the ſeſſion a pathetic Letter from the States General to the King was laid before Parliament, in which they deſcribe the extreme danger and difficulty of their ſituation, and the abſolute need in which they ſtood of immediate and effectual aſſiſtance. They ſay, "that France is erecting forts under the cannon of their ſtrong places, and drawing lines along their frontiers—that by their intrigues they have drawn away the Princes who were their friends, from their intereſts—and that they are ſurrounded on all ſides except that of the ſea—that the winter,

winter, which had been hitherto their ſecurity, was now over, and they were on the brink of being invaded and overturned every moment—and, in fine, that their condition was worſe than if they were actually at war. They remonſtrate on the fatal conſequences of being left in this expoſed condition, and expreſs their confidence in his Majeſty's conſummate wiſdom, and the good intentions of the Engliſh Parliament, to reſcue them from that ruin with which they are threatened; and which the intereſts of his Majeſty's Kingdoms, inſeparable from thoſe of the Republic, are ſo deeply concerned to prevent." The Commons, with a warmth of expreſſion not to be found in their former Addreſſes, aſſured his Majeſty, "that they would effectually aſſiſt him to ſupport his Allies in maintaining the LIBERTY OF EUROPE." And the King in reply declared, "that it would be a particular ſatisfaction to him, in his time to revive the glory which the Engliſh Nation had formerly acquired of maintaining the liberty and balance of Europe." Still the diſpoſition of the Houſe of Commons was apparent, to engage in the war as auxiliaries only, and not as principals. The Lords indeed preſented an Addreſs of a very different complexion, requeſting his Majeſty, "not only to make good all the articles of any former Treaty to the States General, but that he will enter into a ſtrict league, offenſive and defenſive, with them, for our common preſervation." But on this topic the ſentiments of the Houſe of Peers were of very inferior importance.

Towards the concluſion of the ſeſſion, however, the Commons, ſenſible of the reputation they had loſt, and anxious to recover their credit with the Nation, which was extremely diſpleaſed with their cold and dilatory proceedings, preſented an Addreſs, aſſuring his Majeſty, "that the Houſe would aſſiſt him in ſupporting thoſe alliances his Majeſty ſhould think fit to make, in conjunction with the Emperor and the States General, for the preſervation of the liberties of Europe, the proſperity and peace of England, and for reducing the exorbitant power of France." This extraordinary and intereſting Seſſion of Parliament was at length terminated on the 24th of June, 1701, by a gracious ſpeech from the throne, in which the King expreſſed his hope, that what mea-

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ſures he might adopt during the receſs, for the advancement of the common cauſe, would meet with the approbation of Parliament at their meeting again in the winter.

Proceedings of the Convocation.

Upon the King's putting the Government into the hands of the Tories, the new Miniſtry made it one of their demands, that a Convocation ſhould be permitted to ſit, which was accordingly ſummoned February 10th, 1701. Like almoſt all other clerical ſynods, their proceedings and debates were characteriſed by inexpreſſible malignity and folly: but being happily diveſted of every degree of civil power, they knit their darkened brows and gnaſhed their teeth in vain. They began by aſſerting in a loſty tone their right to ſit whenever the Parliament ſat, as being an eſſential branch of that body, and denying that they could lawfully be prorogued except when Parliament was prorogued. They diſputed the authority of the Archbiſhop to adjourn or determine the ſeſſion—They returned their ſolemn thanks to Atterbury, Archdeacon of Totneſs, for his learned Treatiſe on the Rights of Convocations—They paſſed heavy cenſures on a certain book called "Chriſtianity not myſterious," written by Mr. Toland; and likewiſe on a recent publication of the Biſhop of Sarum, ſtyled "An Expoſition of the Thirty-nine Articles of the Church of England." And they engaged in hot and eager diſputes with the Biſhops reſpecting various points of privilege; inſomuch that the Right Reverend Fathers were compelled to complain, "that they had riſen to higher degrees of diſreſpect and invaſion of the metropolitan and epiſcopal rights, than ever was attempted by any Lower Houſe of Convocation before: and that they had thereby given the greateſt blow to the Church that had been given to it ſince the Preſbyterian Aſſembly that ſat at Weſtminſter in the late times of confuſion." The Convocation was at length prorogued by the Archbiſhop, at the termination of the Seſſion of Parliament, in the midſt of theſe contentions at once ſo fierce and frivolous.

The King left Hampton-Court on the laſt day of June, attended by the Lords Romney, Albemarle, &c. and on the 3d July arrived in Holland.

land. The next day he took his ſeat in the Aſſembly of the States General, where he was received with the moſt cordial congratulations as the protector, friend, and father of his country. The command of the troops deſtined for the relief of Holland was, by an happy choice, confided to the Earl of Marlborough, at the ſame time appointed Plenipotentiary to the States; and whom the King well knew to be equally qualified for the council or the field: "uniting," as he declared with generous applauſe, "the cooleſt head with the warmeſt heart."

On the departure of the King to viſit the frontier garriſons, M. D'Avaux delivered to the States General a letter from his Moſt Chriſtian Majeſty, notifying the recall of his Ambaſſador. This was accompanied by a Memorial from the Ambaſſador, ſtating in very eloquent and forcible terms the regret rather than the reſentment felt by the King his maſter at the extraordinary ſyſtem of policy adopted by their High Mightineſſes. He ſaid, "that his Moſt Chriſtian Majeſty earneſtly wiſhed to diſſipate the vain terrors excited by the acceſſion of his grandſon to the Throne of Spain—That the conference had been opened to treat of the intereſts of Holland ſolely; and, if the States had ſo pleaſed, had ſoon terminated to the ſecurity of the Provinces, the advantage of their commerce, and with an aſſurance of perpetual amity from the Moſt Chriſtian King.—The Ambaſſador expreſſed the aſtoniſhment of his maſter, that the States ſhould confound the intereſts of the Emperor with thoſe of the Republic, and erect themſelves into arbiters between the Houſes of France and Auſtria—and that they ſhould even reſolve, in favor of the latter, to break thoſe treaties which the Republic had hitherto regarded as the confirmation, or rather the ſeal, of her ſovereignty." Notwithſtanding the earneſt deſire expreſſed by the States, on the preſentation of this Memorial, to reſume the conferences, the Ambaſſador, in conſequence of poſitive orders from his Court, left the Hague, Auguſt 13 (1701), after paying the cuſtomary compliments to the States General, but without noticing the King of England or any of his Court.

Matters

BOOK IV.

1701.

Second Grand Alliance.

Matters were now conſidered on both ſides as having come to a criſis; and on the 7th September a new Treaty of Alliance was ſigned between the Emperor and the Maritime Powers, to which all Kings, Princes, and States, were invited to accede, for procuring ſatisfaction to the Houſe of Auſtria in reſpect to the Spaniſh ſucceſſion, and ſufficient ſecurity for the preſervation of the balance of power in Europe; for which purpoſe the confederates ſhall jointly, and with their whole force, oppoſe and prevent the union of France and Spain under the ſame Government;—for the King of England had too much wiſdom to make the recovery, i. e. the conqueſt, of Spain the object of the war.

Military tranſactions in Italy.

Even previous to the concluſion of this Treaty hoſtilities had actually commenced on the part of the Emperor with a ſpirit and ſucceſs wholly unexpected. A numerous army had been aſſembled early in the ſummer by the Court of Vienna on the Italian frontier, the command of which was conferred upon Prince Eugene of Savoy, ſo celebrated ſince the victory of Zenta. This General, entering Italy by the route of Vicenza, made a feint of paſſing the Po near Ferrara; and while the enemy were thus amuſed, he croſſed the Adige (July 1701), and attacked and totally defeated a large body of troops poſted at Carpi. The French and Piedmonteſe army, commanded by M. de Catinat and the Duke of Savoy in perſon, retiring beyond the Mincio, the Imperial General paſſed that river alſo in purſuit of them: and M. de Catinat, making diſpoſitions to cover the Milaneſe, was aſtoniſhed to find that the Imperialiſts had, by a rapid movement on the oppoſite ſide, ſuddenly over-run the Mantuan, reduced the fortreſs of Caſtiglione, and laid the country under contribution.

The Court of Verſailles, not comprehending the cauſe of theſe diſaſters, diſpatched M. Villeroi with a commiſſion to ſuperſede M. de Catinat. The diſmiſſion of this able commander was attended with the conſequences that might be expected. M. de Villeroi, with all the raſhneſs incident to vanity and ignorance, attacked (Auguſt 29) the Imperial General, encamped in a ſtrong poſition at Chiari on the Oglio; but his

preſumption

preſumption was puniſhed by the loſs of 5000 men: and the French army, being farther reduced by ſickneſs and diſpirited by defeat, retired early into their deſtined quarters. But Prince Eugene kept his troops in almoſt conſtant motion during the whole of the winter, and was ſo ſucceſsful in all his enterpriſes as to keep the French in perpetual alarm. Marechal de Villeroi having fixed his head quarters at Cremona, which commands a bridge over the Po; the Prince formed, in the month of January 1702, a deſign to ſurpriſe the town. He conducted in perſon a ſtrong detachment of troops from the Oglio, and ordered another corps from the Parmeſan to force at the ſame time the paſſage of the bridge. Marching in profound ſilence and ſecrecy through the ruins of an old aqueduct, he gained poſſeſſion of one of the gates of the city. M. de Villeroi, being awakened with the noiſe, ruſhed, unarmed and unattended, into the midſt of the tumult, and was inſtantly made a priſoner. But the party who were to attack the bridge not coming up at the time appointed, the Prince was ultimately compelled to abandon his enterpriſe—and retired in ſafety with the Marechal and the other priſoners whom he had taken. By this daring exploit, though not crowned with perfect ſucceſs, he was covered with glory. Such was his activity and ſpirit of adventure, that the French knew not when or where to think themſelves in ſecurity. He went on enlarging his quarters, ſtrengthening his poſts, and kept the city of Mantua cloſely blockaded; till at length the Court of Verſailles, ſeeing the whole Spaniſh empire in Italy endangered, reſolved to ſend large reinforcements into that country, under the conduct of a General worthy to be the antagoniſt of Prince Eugene—the Marechal Duc de Vendome.

Death of K. James II.

An event, trivial in itſelf, but attended with important conſequences in the preſent criſis, took place in the autumn of this year, in the death of the abdicated Monarch King James, who departed this life at St. Germaine's, September 16th, 1701, in the 68th year of his age. Sunk into the moſt abject and ſenſeleſs extremes of bigotry and ſuperſtition, he ſeemed entirely to have relinquiſhed the hope, and almoſt the wiſh, to recover his

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his former greatneſs. He had been actually admitted into the ſociety of the Jeſuits; and had rarely failed, during the latter period of his life, making a viſit annually to the Abbey of La Trappe—practiſing there the ſame auſterities which are enjoined upon the monks themſelves by the rules of that rigid order. He kept very ſevere faſts; and would, upon certain days, bind his body with a very ſharp-pointed iron chain. He aſſiſted at the choir hours, except at night. He ate nothing but eggs, raiſins, and pulſe; and ſpent his time in long meditations and ſpiritual conferences with the Abbot, and his Confeſſor, whom he took conſtantly there with him. In the uſual courſe of things, he heard ordinarily at St. Germaine's, as his Secretary Nairne *atteſts*, two maſſes every day, and on all the great feſtivals three maſſes and veſpers, &c. During Lent he had ſermons in his chapel thrice a week; and he, with his Queen, went every year on foot to the proceſſion of the Holy Sacrament over the town of St. Germaine's. On the day and octave of Corpus Chriſti they heard high maſs at the pariſh church, and on every evening during the octave, and on Sundays and great holidays throughout the year, they were preſent at the exaltation of the Hoſt. Such are the follies which uſurp the venerable name of religion!

In the beginning of the year his health viſibly declined; and he had in April drank the mineral waters of Bourbon without finding benefit. During his laſt illneſs the King of France came to viſit him at St. Germaine's, and ſeemed much touched with his condition. The dying Monarch, raiſing himſelf in his bed, expreſſed in faint accents his gratitude to his Moſt Chriſtian Majeſty for the numerous inſtances of friendſhip and generoſity he had received from him. On which the King of France told him, he did not yet know the extent of the kindneſs he intended for him and his family: for that, in the event of his deceaſe, he would acknowledge the Prince his ſon as King of Great Britain. On hearing this, James appeared overwhelmed with ſurpriſe and joy, and ſaid "he had nothing farther to aſk or wiſh. He exhorted his ſon to perſevere in the faith, as a point of infinitely more conſequence to him than the acquiſition of a crown. He ſaid, that by his practice he recommended chriſtian

tian forgiveneſs to him; for he heartily forgave all his enemies, not even excepting the Princeſs of Denmark, the Prince of Orange, and the Emperor."

Recognition of the Pretender by France.

Immediately upon his death the pretended Prince was proclaimed King of England, &c. by the ſtyle and title of King James III. and was recognized in that capacity by the King and Court of France, who paid their compliments of condolence and congratulation at the Court of St. Germaine's in the ſame manner and form as if the title of this mock Sovereign had been the moſt valid and unqueſtionable.

Startled, nevertheleſs, at the conſequences of the raſh ſtep they had taken, M. de Torcy, in a conference held ſoon after with the Earl of Mancheſter, endeavored to apologize for this meaſure, which he profeſſed had given him concern, as "merely complimentary; and expreſſed his hope that the preſent negotiation would terminate in a peace, which would ſet all right." The Ambaſſador, in his diſpatches to Mr. Vernon, ſays, "he *knows* that the King of France ordered M. de Torcy to ſoften this matter as much as he could"—but he acknowledges "there is no reliance upon their ſincerity after what had paſſed. I fear," ſays he, "there never will be any treating with this Court, without great vigor and reſolution, and with ſword in hand."

Departure of the Engliſh Ambaſſador.

This opinion entirely coincided with the ſentiments of the King of England, who, on receiving intelligence of the death of James, and the conſequent recognition of his ſon, ſent an expreſs to the Earl of Mancheſter to return to England without taking his audience of leave. Of this the Ambaſſador immediately appriſed M. de Torcy, ſtating, "that the King his maſter, being informed that his Moſt Chriſtian Majeſty has owned another King of Great Britain, does not believe that his honor and his intereſt permit him longer to keep an ambaſſador in France—he has therefore orders to retire." The French Court diſcovered ſome ſymptoms of ſurpriſe at this notification; and on the ſame day an anſwer was returned by M. de Torcy, in cold and diſtant terms, purporting the ſincere deſire

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his Moſt Chriſtian Majeſty always entertained to preſerve the peace confirmed by the Treaty of Ryſwick.

But in a ſubſequent memorial, diſperſed in all the Courts of Europe, the King of France takes much pains to vindicate his conduct from the imputation of violating his ſubſiſting engagements with the King of England. He declares "that he never ſtipulated to refuſe the title of King to the Prince, on the demiſe of his father—that his birth entitled him to it—and that he would not obtain any other aſſiſtances from France, than what the late King James received ſince the Treaty of Ryſwick, which were merely for his ſubſiſtence and the alleviation of his misfortunes.—The generoſity of his Moſt Chriſtian Majeſty would not allow him to abandon either that Prince or his family—and it is remarked in this memorial to be no new thing to give to children the titles of Kingdoms which the Kings their fathers have loſt, without any breach of amity—Of this, hiſtory furniſhes many examples—and in particular the Kings of Poland, of the Houſe of Vaſa, having loſt the kingdom of Sweden, were treated by France as Kings of Sweden till the peace of Oliva, though at the ſame time France was in ſtrict alliance with King Guſtavus and Queen Chriſtina." But in the exiſting circumſtances this labored apology produced little or no effect; and the conduct of the Court of Verſailles was univerſally regarded as openly and decidedly hoſtile to Great Britain.

During the whole of the ſummer the King of England had been deeply engaged in the numerous complicated negotiations indiſpenſable at the eve of a general war; and it ſtill remained doubtful what part the majority of the ſecondary Powers of Europe would take in the conteſt, when William embarked for England, where he arrived early in November (1701). His ſtate of health, at no time very firm, for the laſt year haraſſed and wearied with inceſſant anxiety, was remarked to be not a little impaired; and his return to England was retarded by an illneſs of a ſerious nature, from which he had partially and ſlowly recovered. Though ſenſible of the ſhock his conſtitution had ſuſtained, his activity and energy of mind

ſeemed

ſeemed in no wiſe diminiſhed. And knowing how much depended upon himſelf, and the extent of the confidence repoſed in him, he was ſolicitous to conceal, as far as poſſible, his exhauſted condition from the public view, till the grand projects now in contemplation were advanced to a ſtate of maturity. But he told the Earl of Portland, that he ſhould not live to ſee another ſummer.

Reſentment of the Engliſh Nation.

The King found on his return to England the whole Nation in a vehement ferment. The recognition of the pretended Prince of Wales by the French Monarch, while the Treaty of Ryſwick was yet in force, had excited the moſt paſſionate reſentment of all ranks and orders of people. The perfect unanimity of the public feelings and ſentiments in this country upon certain occaſions forms a diſtinguiſhing *trait* of the Engliſh character; and in no inſtance did it ever appear more ſtrongly than the preſent. The conduct of the King of France was conſidered as exhibiting a combination of perfidy and preſumption. Such an acknowledgment of the title of the abdicated Houſe ſeemed little leſs than a declaration of perpetual war; for there was no proſpect of the extinction of the exiled family, and conſequently no room to ſuppoſe that France would ever admit England to be governed by a rightful and lawful King. Addreſſes were preſented from all parts, expreſſing, in the warmeſt and moſt affectionate terms, a reſolute determination to ſupport his Majeſty in the defence of his juſt rights, in oppoſition to all invaders of his crown and dignity.

It was the higheſt gratification that the King could receive, to find ſuch a ſpirit prevailing in the Nation, which was however very ill ſeconded by thoſe who occupied the great offices of Government. He had never been upon cordial terms with his preſent Miniſters. The Earl of Rocheſter, who was accounted the chief, had proved wholly intractable and imperious. Inſtead of moderating the violence of his party, he was aſſiduous to inflame them. And the King repeatedly declared, that the year in which that Nobleman directed his councils was the moſt uneaſy of his life. The

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Earl had now repaired to his Government of Ireland, where he ſhewed himſelf capable of acting with temper and prudence.

So long ſince as the month of September, the King had written to Lord Sunderland from Loo, earneſtly requeſting his advice in the then ſituation of affairs*. He expreſſed himſelf as yet undetermined what meaſures to take, or whether to call a new Parliament—fearing, that if he ſhould quit thoſe he now employs, and that the others ſhould not be able to ſerve him, he ſhould be left without reſource. The Tories, he ſays, make him great promiſes, and adviſe an Act of Grace as a means of reconciling matters. Lord Sunderland's reply is very remarkable—ſufficiently indicating by what imperious powers of perſuaſion he had acquired ſo abſolute an aſcendency over the minds of all with whom he was connected. He exhorts the King in the moſt deciſive terms to diſcard his Tory Miniſters, who he affirms "grow more hated every day, and more expoſed. He ridicules the argument, or apprehenſion, that in caſe the change fails of ſucceſs he ſhall be left without reſource. This he tells the King is only to ſay, Continue in the hands of your enemies—for, if they do not ſave you, you may return to your friends, who will. At the worſt and in the laſt reſort, he can but throw himſelf into the hands of the Tories, and give up the whole power to them. He expreſſes his ſurpriſe, that, after thirteen years' experience, the King will not judge of things aright; and that he ſhould ſuffer himſelf to be wheedled by a party, of which in his whole reign he could never yet gain any one man. He adviſes the King to conſult with Lord Somers, who is the life, the ſoul, and the ſpirit of his party—who can ANSWER for it—unlike the preſent Miniſters, who have no credit with theirs, any farther than they can perſuade the King to conſent to his own undoing."

Whigs regain their aſcendency and popularity.

From the influence and operation of the ſucceeding events, matters were now mature for a complete change: as the firſt ſtep to which a diſſolution of Parliament was determined upon. A proclamation for that

* Hardwicke State Papers.

purpoſe

purpoſe was iſſued on the 11th of November, and a new Parliament ſummoned to meet on the 30th of December 1701—previous to which great alterations took place in the Adminiſtration. Lord Godolphin was ſuperſeded by the Earl of Carliſle. The Earl of Mancheſter was made Secretary of State, in the room of Sir Charles Hedges; the Earl of Pembroke conſtituted Lord High Admiral, the Duke of Somerſet appointed Preſident of the Council, and the Earl of Rocheſter recalled from his Government of Ireland. The King preſſing, as it is ſaid, the Great Seal on the acceptance of Lord Somers, and that Nobleman heſitating in the apprehenſion of a new relapſe in favor of the Tories; the King exclaimed with paſſionate emphaſis, "Never, never, never!"

Seſſion of Parliament.

The Parliament met on the day prefixed; and the firſt trial of ſtrength between the two parties was on the choice of a Speaker, which was carried in favor of Mr. Harley, in oppoſition to Sir Thomas Lyttleton, by a majority of four voices only *. The King's Speech was moſt happily adapted to the temper and feelings of the Nation. It recommended, in very animated and energetic language, unanimity in the proſecution of the moſt vigorous and deciſive meaſures; and it was received with enthuſiaſtic and unbounded applauſe.

Energetic Speech of the King.

"I promiſe myſelf," ſaid the Monarch, "that you are met together full of that juſt ſenſe of the common danger of Europe, and that reſentment of the late proceedings of the French King, which has been ſo fully and univerſally expreſſed in the loyal and ſeaſonable Addreſſes of my People. The eyes of all Europe are upon this Parliament, all matters are at a ſtand till your reſolutions are known. Let me conjure you to diſappoint the only hopes of our enemies by your unanimity. I have ſhewn, and will always ſhew, how deſirous I am to be the common father of all my people. Do you in like manner lay aſide parties and diviſions. Let there be no other diſtinction heard of among us for the future, but of thoſe who are for the Proteſtant religion and the preſent Eſtabliſhment, and of thoſe who mean a Popiſh Prince and a French Government. If you do in good earneſt deſire to ſee England hold the balance of Europe, and to be in-

* The numbers were 216 to 212.

deed

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deed at the head of the Proteſtant Intereſt, it will appear by your right improving the preſent opportunity."

The King, the Parliament and the Nation ſeemed now animated by the ſame ſpirit; and at no period of his reign had WILLIAM attained to ſo great an height of popularity as at the preſent criſis. At no time had he reached to ſuch a ſuperiority of elevation in the view of the ſurrounding nations. The Addreſſes of both Houſes were in the higheſt ſtrain of Whiggiſm; for the Tories in the Lower Houſe no longer attempted to ſtem the torrent, which ran with irreſiſtible violence in favor of a Gallic war. The Houſe of Commons even paſſed a unanimous reſolve, that no peace ſhould be made with France, until reparation be made for the late indignity offered by the French King. And 90,000 men were voted for the ſea and land ſervice.

Bill to attaint the Pretender.

Early in January 1702, a Bill of Attainder of the pretended Prince of Wales, now ſtyling himſelf King of Great Britain, was introduced into the Houſe of Commons, and paſſed with perfect unanimity. But the Lords in their great zeal including the Queen-Regent in the attaint, the Commons refuſed to concur, alleging, in a conference held with their Lordſhips, "that it may be of dangerous conſequence to attaint perſons by an amendment only, in which caſe ſuch due conſideration cannot be had as the nature of an Attainder does require."

Bill of Abjuration.

Another Bill followed after a ſhort interval, for the farther ſecurity of his Majeſty's perſon, and the ſucceſſion of the Crown in the Proteſtant line—containing an abjuration of the pretended Prince of Wales, and an oath to the King as *rightful and lawful* Sovereign. A queſtion ariſing whether the oath ſhould be compulſive or voluntary; it was thought of ſufficient conſequence to be the ſubject of a ſerious and vehement debate. And the Houſe was on a diviſion ſo equally balanced, that there appeared a majority of one voice only for making the oath obligatory, the numbers being 188 to 187 voices; and this remarkable diviſion probably gave riſe to the popular notion, that the Crown was ſettled on the Houſe of Hanover by a ſingle vote.

With reſpect to the great queſtion of the Iriſh forfeitures, the Houſe did not appear inclined to recede from the ſyſtem of their predeceſſors; and the petitions preſented to the King againſt the Act of Reſumption by the City of Dublin and divers Counties of Ireland, and laid by his command before the Houſe, were voted to contain ſcandalous reflections, highly reflecting upon his Majeſty's honor and both Houſes of Parliament.

The ſubject of the Impeachments voted in the courſe of the laſt ſeſſion was revived with great warmth, but with little expectation, or perhaps deſire, of ſucceſs on the part of the Tories, who knew the odium attached to thoſe unpopular proſecutions. And a reſolution ultimately paſſed, "that it is the undoubted right of every ſubject of England under any accuſation, either by IMPEACHMENT or otherwiſe, to be brought to a ſpeedy trial, in order to be acquitted or condemned." This was regarded as a virtual juſtification of the conduct of the Houſe of Lords, and equivalent to an avowal that their Lordſhips had not denied juſtice in the matter of the Impeachments: and thus ſerenely did this extraordinary and alarming buſineſs terminate.

Illneſs and death of the King.

During the whole of the preſent winter, it had been aſſiduouſly reported by thoſe who were near the perſon of the King, that he was in a fair way of obtaining a complete re-eſtabliſhment of his health; but this was, notwithſtanding, a ſubject of great doubt with many; and it was ſtrongly believed that much pains were taken to conceal the real truth, as the knowledge of it might materially impede the ſucceſs of the negotiation now depending—it being manifeſt that the King's great endeavor, from the moment that he apprehended his danger, was to provide ſuch collateral ſecurities for the great projects he had formed, as might prevent their coming to an end with him. On Saturday, February the 21ſt, he rode as uſual from Kenſington to Hampton-Court; and paſſing through the Park, his horſe, ſuddenly plunging, fell on very level ground; and the King's collar-bone was fractured with the violence of the ſhock. He was immediately carried to Hampton-Court, where the fracture was reduced by Ronjat his Firſt Surgeon: and he thought himſelf in the evening

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evening well enough to be removed to Kenſington. No dangerous ſymptoms appeared for ſome days, and his active and ardent mind was ſtill employed on the great objects he had in view.

On the 28th of February he ſent a Royal Meſſage to both Houſes, recommending, in terms the moſt earneſt and energetic, the appointment of Commiſſioners to treat with thoſe already authoriſed by the Parliament of Scotland, reſpecting an UNION of the two Kingdoms, "than which the King declared he was ſatisfied that nothing could more contribute to the preſent and future ſecurity and happineſs of England and Scotland, and to which he now hoped there would be found a general diſpoſition." To this ſtep he was probably encouraged by the recent declaration of the Earl of Nottingham, who, when the Abjuration Bill was before the Houſe of Lords, took occaſion to ſay, "that though he had differed from the majority of the Houſe in many particulars relating to it, yet he was ſuch a friend to the deſign of the Act, that, in order to the ſecuring a Proteſtant ſucceſſion, he thought an union of the whole Iſland very neceſſary, and would heartily join in any proper meaſures to effect it."——On the Monday, a Commiſſion was iſſued to give the royal aſſent to ſuch Bills as were ready; amongſt which was the Bill for Attainting the pretended Prince of Wales.

Flattering hopes were ſtill entertained or profeſſed of a ſpeedy and perfect recovery; but on Wedneſday, March the 3d, the King was ſeized with a ſhivering fit, which, as uſual, was followed by a fever; and theſe fits returning every day with increaſing violence, on the ſixth his caſe was eſteemed very dangerous. And the Lords having expedited the Abjuration Bill, a ſecond Commiſſion was iſſued to give the royal aſſent to this favorite meaſure of national ſecurity. But the King being no longer able to make perfect uſe of his hand, a ſtamp was provided to ſupply the defect. On the ſame day the Earl of Albemarle arrived from Holland, and, being immediately admitted to the King's preſence, gave ſuch an account of the poſture of affairs on the Continent as muſt have afforded him the higheſt ſatisfaction had he been capable of attending

tending to any temporal concerns. But he received the intelligence without any viſible emotion; and ſoon afterwards ſaid, "Je tire vers ma fin."

He was attended during the latter period of his illneſs by the Archbiſhop of Canterbury and the Biſhop of Sarum. His reaſon and all his ſenſes were entire to the laſt minute. Early on Sunday morning he deſired the Sacrament; after which, ſeveral of the Lords of the Council and other Nobles attending were called in, to whom the King labored to ſpeak with cheerfulneſs. When Lord Auverquerque appeared, he raiſed his voice, and thanked him for his long and faithful ſervices. He took an affectionate leave of the Duke of Ormond and others, and delivered to the Earl of Albemarle the keys of his eſcritoire. Breathing with great difficulty, he aſked his Firſt Phyſician, Dr. Bidloo, "how long this could laſt;" to which he anſwered, "Perhaps an hour." But the King, offering his pulſe, ſaid, "I do not die yet!" After a little interval, he enquired for the Earl of Portland; but before he came, his voice totally failed, though his lips were ſeen to move; and taking him by the hand, he carried it to his heart with much tenderneſs. Throughout his illneſs no ſymptoms of weakneſs appeared which might ſully the tenor of his former life. His firm and ſteady mind raiſed him far above the ignoble terrors of thoſe "who vainly fear inevitable things." The conflict between life and death continued till morning, when the commendatory prayer was ſaid for him; and, as it ended, the King, who had been ſupported all night in his bed, expired in the arms of one of his pages, March 8th, 1702, after a reign of thirteen years and a month, and in the fifty-ſecond year of his age. On his left arm was found a ribband, to which was faſtened a ring encloſing a lock of the late Queen Mary's hair—a proof of the tender regard he entertained for her memory.

Character of K. William.

Thus lived and died WILLIAM III. King of Great Britain and Stadtholder of Holland; a Monarch on whoſe great actions and illuſtrious character Hiſtory delights to dwell. In his perſon he was not above the

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middle ſize, pale, thin, and valetudinary. He had a Roman noſe, bright and eagle eyes, a large front, and a countenance compoſed to gravity and authority. All his ſenſes were critical and exquiſite. His words came from him with caution and deliberation; and his manners, excepting to his intimate friends, were cold and reſerved. He ſpoke Dutch, French, Engliſh, and German, equally well; and he underſtood Latin, Spaniſh and Italian. His memory was exact and tenacious, and he was a profound obſerver of men and things. He perfectly underſtood and poſſeſſed a moſt extenſive influence over the political concerns and intereſts of Europe. Though far above vanity or flattery, he was pertinacious in his opinions; and, from a clear perception or perſuaſion of their rectitude, was too impatient of cenſure or control. He attained not to the praiſe of habitual generoſity, from his frequent and apparently capricious deviations into the extremes of profuſion and parſimony. His love of ſecrecy was perhaps too nearly allied to diſſimulation and ſuſpicion; and his fidelity in friendſhip to partiality and prejudice. Though reſentful and irritable by nature, he harbored no malice, and diſdained the meanneſs of revenge. He believed firmly in the truth of religion, and entertained an high ſenſe of its importance. But his tolerant ſpirit, and his indifference to the forms of Church Government, made him very obnoxious to the great body of the Clergy. He appeared born for the purpoſe of oppoſing tyranny, perſecution, and oppreſſion: and for the ſpace of thirty years it is not too much to affirm that he ſuſtained the greateſt and moſt truly glorious character of any Prince whoſe name is recorded in hiſtory. In his days, and by his means, the firſt firm and ſolid foundations were laid of all that is moſt valuable in civil ſociety. Every vindication of the natural and unalienable rights of mankind was, till he aſcended the throne of Great Britain, penal and criminal. To him we owe the aſſertion and the final eſtabliſhment of our conſtitutional privileges. To him the intellectual world is indebted for the full freedom of diſcuſſion, and the unreſtrained avowal of their ſentiments on ſubjects of the higheſt magnitude and importance. To ſum up all, his character was diſtinguiſhed by virtues rarely found amongſt Princes—moderation, integrity, ſimplicity, beneficence, magnanimity.

nanimity. Time, which has caſt a veil over his imperfections, has added luſtre to his many great and admirable qualities. His political views were in the higheſt degree laudable and upright. He had true ideas of the nature and ends of Government: and the beneficial effects of his noble and heroic exertions will probably deſcend to the lateſt generations, rendering his name juſtly dear to the friends of civil and religious liberty, and his memory ever GLORIOUS and IMMORTAL.

HISTORY

OF

GREAT BRITAIN.

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Occaſional Conformity Bill a third time rejected. Alarm taken at the Scottiſh Act of Security. Caſe of Aſhby and White. Intrigues of the Court of St. Germaine's in England and Scotland. Campaign of 1705. *Death of the Emperor Leopold. Capture of Barcelona. Rapid Succeſſes of the Archduke. Seſſion of Parliament. The Whigs recover their Aſcendency. Obnoxious Motion of the Tories to bring over the Princeſs Sophia. Church declared to be Not in Danger. Articles of the Treaty of Union agreed upon. Campaign, A. D.* 1706, *in Flanders. Battle of Ramillies. Military Tranſactions in Spain—and in Italy. Advances made by France for obtaining Peace. Affairs of Scotland. Articles of the Union debated. Seſſion of Parliament in England. Articles of the Union ratified by both Parliaments. Intrigues at Court. Diſmiſſion of Sir Charles Hedges.*

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State of Europe on the acceſſion of Queen Anne.

NEVER did the death of any Monarch, that of Guſtavus Adolphus in the midſt of his career of victories againſt the Houſe of Auſtria perhaps excepted, excite throughout the Kingdoms of Europe more general grief and conſternation than that of King WILLIAM. Though the Grand Alliance againſt France was now completed, the different Powers of which this vaſt body was compoſed, deprived, by this unexpected ſtroke, of the hero in whoſe wiſdom and rectitude they confided, and under whoſe banners they had been accuſtomed to engage, no longer exhibited any ſymptoms of animation and vigor. Such was the prevailing dread of the power of France, which, from the commencement of the Adminiſtration of Cardinal Richelieu, had been elevated to the preſent alarming height by an almoſt uninterrupted ſeries of military triumphs, that the alliance now formed was conſidered as by no means adequate to the accompliſhment of its object, in caſe of the defection of England. And how far Anne of Denmark, who now ſwayed the ſceptre of that powerful Kingdom, was diſpoſed to adopt the councils, or to purſue the mighty projects formed by her illuſtrious predeceſſor, was conſidered as a queſtion highly problematical. The doubt however was quickly and happily reſolved. By an Act paſſed ſome years previous to the death of the King, the Parliament, notwithſtanding

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Her reſolution to join the Grand Alliance.

ing that event, ſtill continued to ſit. Three days after her acceſſion, the Queen, repairing in perſon to the Houſe of Peers with the uſual ſolemnity, made a ſpeech from the throne, purporting "her fixed reſolution to proſecute the meaſures concerted by the late King, whom ſhe ſtyled the great ſupport not only of theſe Kingdoms but of all Europe. And ſhe declared, that too much could not be done for the encouragement of our Allies to reduce the exorbitant power of France." An expreſſion which occurred in the concluſion of her ſpeech, "that her heart was entirely Engliſh," was thought, by thoſe who regarded the proceedings of the new Sovereign with jealouſy, to glance obliquely upon the honor of the late Monarch, and was reſented accordingly. To the Addreſs of the Clergy, preſented by the Archbiſhop of Canterbury, ſhe expreſſed her high regard and attachment to the Church; and to that of the Diſſenters ſhe gave aſſurances of protection, and proteſted "that ſhe would do nothing to forfeit her intereſt in their affections."

Theſe primary meaſures of the new reign were chiefly influenced by the repreſentations of the Lords Marlborough and Godolphin, who demonſtrated the imminent danger to which the liberties of Europe would be expoſed, were England to act with indifference or indeciſion in the preſent criſis. And to give efficacy to a ſyſtem ſo oppoſite to the hopes and expectations of the Tories, Lord Godolphin was advanced to the office of Lord High Treaſurer; and the Earl of Marlborough declared Captain General of the forces of Great Britain at home and abroad, and at the ſame time appointed Ambaſſador Extraordinary and Plenipotentiary to the States General.

That Aſſembly had been ſtruck with amazement at the unexpected intelligence of the death of the late King. Lamenting in moving terms their irreparable loſs, they embraced each other and promiſed mutually to adhere, at whatever riſque, to the intereſts of their Country. And they iſſued letters to the different towns and provinces of the Union, exhorting them to reſolution and perſeverance. In a few days they were comforted and re-aſſured by the tranſmiſſion of the Queen's Speech,

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and a letter to the States annexed, in which ſhe declared her determination "to maintain all the alliances of her Crown entered into by the late King; and to concur with them in ſuch meaſures as ſhould be neceſſary to the reduction of the power of France." The Ambaſſador arriving after a ſhort interval, made, at his firſt audience, a ſpeech to the States, which gave the moſt complete ſatisfaction;—M. Dykvelt, the hebdomadal Preſident, in reply, expreſſing, with tears flowing down his cheeks, the deep affliction of their High Mightineſſes at the loſs they had ſuſtained—their congratulations on the acceſſion of her preſent Majeſty—their hearty thanks for the aſſurance of her friendſhip—and their reſolution to concur in a vigorous proſecution of the common intereſt.

The exultation of the Court of France at the death of the King of England bore a full proportion to the grief elſewhere expreſſed. The Sieur de Barré, left by the Count D'Avaux Chargé d'Affaires, preſented to the States a Memorial, inviting them to renew the negotiation, and, in language diſreſpectful and injurious to the late Monarch, ſtating his hope, "that, as their High Mightineſſes would now recover their liberty, and be no longer under reſtraint, they would conſult their own intereſt, and look upon a good intelligence with France as the firmeſt ſupport of their Republic." To this Memorial the States indignantly replied, "that the Sieur Reſident ought to know that their High and Mighty Lordſhips have heretofore had as much liberty as at preſent, to debate and to take all ſuch reſolutions as they judged neceſſary and uſeful for the good and preſervation of their State. It is true they cannot enough deplore their misfortune, to ſee themſelves deprived of the direction and conduct of a Prince whoſe wiſdom, moderation, and valor, will be famed as long as the world endures—a Prince whoſe heroic actions, and whoſe merits from this Republic, will never be forgot; and, in a word, whoſe death is lamented in this country by all perſons whatſoever, from the meaneſt to the higheſt. That the councils of his ſaid Majeſty having never had any other aim, both in deed and in word, than the preſervation of their liberty and religion; and their High and Mighty

Lordſhips being entirely convinced of this truth, as having found the benefit thereof, they are reſolved to follow the ſame principles, and not to depart from the alliances contracted during the life of his ſaid Majeſty." The Earl of Marlborough's ſtay in Holland, though but of a few days' continuance, anſwered the moſt important purpoſe. The States, charmed by his noble carriage and engaging manners, and ſtruck with admiration at his ſuperiority of genius, placed from this time the moſt unlimited confidence in his capacity and fidelity, which, in the long experience of ten ſucceſſive years, he in no one inſtance abuſed or forfeited. BOOK V. 1702.

The Seſſion of Parliament in England proceeded calmly and proſperouſly. The Commons ſettled upon the Queen for life the revenue enjoyed by the late King; and the Queen very nobly in return declared, "that, in conſideration of the great burdens to be ſuſtained by her ſubjects, ſhe would direct 100,000 l. per annum to be appropriated to the national ſervice." The Abjuration Oath impoſed by the Act of the late King was taken very unanimouſly, and even cheerfully: the High Tories and Jacobites, whoſe zeal had now ſuffered a very ſenſible abatement, contenting themſelves, as we are told, with the novel diſtinction, that the term of *right* was a term of law which had relation only to legal right; and not to divine right, or *birth-right*, which ſtill remained unimpaired; and, that the abjuration was binding conſequently only during the preſent ſtate of things, and not in caſe of a new revolution or conqueſt. Seſſion of Parliament.

The Queen had now completed her miniſterial arrangements. Her private and perſonal inclinations were decidedly in favor of the Tories. But the Earl of Marlborough, who was impatient to give full ſcope to his talents, and in whoſe breaſt an ardent thirſt for glory, "that infirmity of noble minds," ſuperſeded every other conſideration, employed the extenſive influence which he poſſeſſed over the mind of the Queen through the medium of the Counteſs, to induce the appointment of an Adminiſtration which ſhould proſecute the war with vigor and Miniſterial arrangements.

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effect; which he well knew was not to be expected without a powerful co-operation on the part of the Whigs. Lord Godolphin, nearly allied to Marlborough by the marriage of his ſon with the eldeſt daughter of the Earl, was connected with him alſo by the ſtricteſt political union; and though a Tory Adminiſtration was at length formed, not only divers of the Whigs were admitted into the new arrangement, but a ſpirit of conciliation and moderation pervaded the general ſyſtem—proving it to be under the guidance of men deeply verſed in the noble ſcience of political wiſdom. Lord Godolphin, as Lord High Treaſurer, was regarded as the efficient head of the Miniſtry: the Earl of Nottingham and Sir Charles Hedges were re-inſtated in their poſts as joint Secretaries of State. The Earl of Pembroke being honorably diſmiſſed from the Admiralty with the offer of a great penſion, which he refuſed to accept, the poſt of Lord High Admiral was occupied by the Prince of Denmark. The Duke of Somerſet, a Whig, was continued Preſident of the Council; and Sir Nathan Wright, a Tory, Lord Keeper. The Duke of Devonſhire, a Whig, was appointed Lord Steward; and the Marquis of Normanby, a Tory, Lord Privy Seal. The Earl of Rocheſter, maternal uncle of the Queen, who diſdained this ſyſtem of compromiſe and conciliation, was confirmed in his Government of Ireland, which he had not yet formally relinquiſhed. Seymour, Howe, Harcourt, and others of the Tories, were now admitted to the Council Board, from which the great Whig leaders, Somers and Halifax, were excluded.

War declared againſt France.

The Earl of Marlborough had agreed with the States and the Imperial Miniſter, that war ſhould be declared againſt France, at Vienna, London, and the Hague, on the ſame day, viz. May the 15th N. S. But when this reſolution came to be debated in Council, it was vehemently oppoſed by the Earl of Rocheſter and others of the Board, who contended, that it was ſafeſt and beſt for England to avoid a declaration of war, and that no neceſſity exiſted for acting, if we acted at all, in any other capacity than as auxiliaries. But the Earl of Marlborough remarked, that the honor of the Nation was concerned to fulfil the late King's engagements; and he affirmed, that France could never be reduced

duced within due bounds, unleſs the Engliſh would enter as principals into the quarrel. This opinion was ſupported by the Dukes of Somerſet and Devonſhire, the Earl of Pembroke, and the majority of the Council. A reſolution was taken, therefore, in favor of war; which being communicated by the Queen to the Houſe of Commons, the Houſe returned their unanimous thanks, and aſſurances of aſſiſtance. The Earl of Rocheſter, highly offended that his counſels were rejected, withdrew to his ſeat in ſullen diſcontent: and a meſſage, after an interval of ſome months, being ſent to him from the Queen, commanding him to repair to his Government of Ireland, he inſolently declared, "that he would not go if the Queen would give him the country." The Earl then waited upon her Majeſty, and in great wrath deſired leave to reſign his employments; which was readily granted, and the Viceroyalty of that kingdom immediately conferred upon the Duke of Ormond. On the day prefixed, the Confederate Courts ſolemnly proclaimed war againſt France in their reſpective capitals, to the great aſtoniſhment of Louis XIV. who, on receiving the intelligence from his Firſt Miniſter, the Marquis de Torcy, gave way to unuſual emotions of anger; and throwing from him the Dutch Declaration with great violence, he proteſted, "that Meſſieurs the Dutch merchants ſhould one day repent of their audacity."

The beneficial effects of the laſt meſſage of King William to Parliament, relative to a union of the two kingdoms, now began to appear; and the Queen having, in her ſpeech, joined in recommending to the two Houſes to conſider of the proper methods of accompliſhing an object ſo important and deſirable, a Bill was brought into the Houſe of Commons to empower her Majeſty to nominate Commiſſioners to treat with Scotland for that purpoſe; which, notwithſtanding the perverſe oppoſition of ſeveral of the virulent Tories, paſſed both Houſes by a great majority, and received the royal aſſent. The diſcretion of the preſent Miniſters appeared in an Order of Council, directing the Princeſs Sophia to be publicly prayed for, as next in ſucceſſion to the Crown: and a report having been induſtriouſly propagated, that the late King had formed a

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design of excluding her present Majesty from the Throne; the Dukes of Somerset and Devonshire, and the Lords Marlborough, Jersey and Albemarle, who had the inspection of the King's papers, were interrogated by the House of Peers as to this point: and they unanimously declaring that nothing relative to such design was to be found, the House voted the report false, villainous and scandalous. And in reply to an Address of the House upon the subject, the Queen declared, "that she would order the Attorney General to prosecute the authors and publishers of this false report."

Impious Sermon of Binckes.

Notice also was taken by the House of Peers of a Sermon preached by one Dr. Binckes before the Lower House of Convocation on the 30th of January 1701, in which a detestable and impious parallel was drawn between the sufferings of Christ and those of the *Blessed Martyr*; and a decided preference given to the latter. "If," says this Christian Divine, "with respect to the dignity of the person, to have been King of the Jews was what ought to have secured our Saviour from violence; here is also one not only born to a Crown, but actually possessed of it. He was not only called King by some, and at the same time derided by others for being so called, but he was acknowledged by all to be a King. He was not just dressed up for an hour or two in purple robes, and saluted with a Hail, King! but the usual ornaments of Majesty were his customary apparel; his subjects owned him to be their King; and yet they brought him before a tribunal, they judged him, they condemned him.—Our Saviour's declaring 'that his Kingdom was not of this world,' might look like a *sort* of renunciation of his temporal sovereignty:—but here was indisputable right of sovereignty, both by the laws of GOD and man. He was the reigning Prince and the Lord's Anointed; and yet, in despite of all law human and divine, he was by direct force of arms, and the most daring methods of a flagrant rebellion and violence, deprived at once of his imperial crown and life." After some debate, the Lords voted, that there were expressions in the said Sermon which gave just scandal and offence to all Christian people; and it was ordered that this resolution

reſolution be communicated to his Dioceſan, the Biſhop of Litchfield and Coventry, in order to his being proceeded againſt in the Eccleſiaſtical Court.

The buſineſs of the Seſſion being happily terminated; the Queen, on the 25th of May 1702, prorogued the Parliament in an excellent Speech, expreſſing her conſtant wiſh, "that no differences of opinion among thoſe that were equally affected to her ſervice might be the occaſion of heats and animoſities among themſelves. I ſhall," ſaid ſhe, "be very careful to preſerve and maintain the Act of Toleration, and to ſet the minds of all my People at quiet."

Affairs of Scotland.

At the demiſe of the late King, the Government of Scotland was entirely in the hands of the Whigs; the Earl of Marchmont being Lord Chancellor, the Earl of Melville Preſident of the Council, the Duke of Queenſberry Lord Privy Seal, the Earls of Seafield and Hyndford joint Secretaries of State, and the Earl of Selkirk Lord Regiſter. On the acceſſion of the Queen, the Tory and Jacobite faction were much elated, flattering themſelves, that, in conſideration of their zeal for Epiſcopacy, to which they well knew the Queen's devoted attachment, they ſhould now be the favored and governing party. The funds allotted for the ſupport of the army being nearly expired, it was abſolutely neceſſary to hold a Seſſion of Parliament in the courſe of the ſummer. An Act having paſſed in Scotland, as well as in England, to continue the exiſting Parliament ſix months ſubſequent to the death of the King; after ſeveral adjournments, it was accordingly convened on the 9th of June (1702), the Duke of Queenſberry being appointed High Commiſſioner. But before any proceedings could take place, the Duke of Hamilton, and the party of which he was the head, proteſted againſt the legality of the meeting—his Grace reading a paper containing the grounds and reaſons of their diſſent, to the following purport: "Foraſmuch as by the fundamental Laws and Conſtitution of this Kingdom all Parliaments do diſſolve by the death of the King or Queen, except in ſo far as innovated by the 17th Act of the 6th Seſſion of King William's Parliament laſt in being

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being at his deceaſe to meet and act what ſhould be needful for the defence of the true Proteſtant religion as now by law eſtabliſhed, and maintaining the ſucceſſion to the Crown, as ſettled by the Claim of Right, and for preſerving and ſecuring the peace and ſafety of the Kingdom; and ſeeing the ſaid ends are fully ſatisfied by her Majeſty's ſucceſſion to the Crown, whereby the religion and peace of the Kingdom are ſecured; we conceive ourſelves not now warranted by the law to meet, ſit or act, and therefore do diſſent from any thing that ſhall be done or acted." Then the Duke and 79 of the Members, being above two-fifths of the number preſent, withdrew, leaving the majority to ſit and act by themſelves; and as they paſſed from the Parliament Houſe to the High Croſs, they were ſaluted with loud and univerſal acclamation.

Unmoved by this formidable ſeceſſion, the Duke of Queenſberry delivered the Queen's Letter to the Parliament, declaring "her firm reſolution to maintain and protect her ſubjects in the full poſſeſſion of their religion, laws and liberties, and of the PRESBYTERIAN GOVERNMENT of the CHURCH; then acquainting them with the juſt cauſes of declaring war againſt the French King, and earneſtly recommending to them, both the providing competent ſupplies for maintaining ſuch a number of forces as might be neceſſary for diſappointing the enemy's deſigns and preſerving the preſent happy ſettlement, and the conſideration of an union between the two Kingdoms of England and Scotland, which was recommended to them by the late King." The Parliament demonſtrated on this trying occaſion great firmneſs and ſpirit. They paſſed an Act declaring it to be high treaſon to impugn the dignity and authority of their proceedings; an Act for ſecuring the Proteſtant Religion and Preſbyterian Church Government; an Act for a ſupply of ten months' ceſs upon all land-rents; and an Act for enabling her Majeſty to appoint Commiſſioners to treat concerning an Union. And they aſſured her Majeſty in their Addreſs in anſwer to the Royal Letter, "that the groundleſs ſeceſſion of ſome of their Members ſhould increaſe and ſtrengthen their zeal for her Majeſty's ſervice." They alſo expelled a Member of the Houſe, Sir Alexander Bruce, for his audacity in affirming

"that

"that Preſbytery was inconſiſtent with Monarchy—that, like vice and hypocriſy, and other peſts of mankind, it ſpread and flouriſhed moſt in turbulent times of anarchy and rebellion; and that order and decency in the Church were to be preferred to the pride and infallibility of a Pope in every pariſh." The Dean and Faculty of Advocates having paſſed a vote in favor of the Proteſt of the diſſentient Members, they were ſummoned for the ſame before the Houſe, and received a ſevere reprimand for their preſumption. On the other hand, the Queen tranſmitted a letter to the Lord Commiſſioner, in which ſhe declared her reſolution "to own and maintain this preſent Seſſion of Parliament, and the dignity and authority of the ſame, againſt all oppoſers." And the diſſentient Members having deputed the Lord Blantyre to preſent an Addreſs to her Majeſty in vindication of their proceedings, ſhe peremptorily refuſed to receive it; and on the 30th of June 1702 the Parliament was adjourned, after a ſhort, but vigorous and important ſeſſion.

First Treaty of Union.

The Queen having, in purſuance of the power veſted in her by the Parliaments both of England and Scotland, appointed Commiſſioners for treating concerning an Union of the Kingdoms; the perſons named in the Commiſſion met for the firſt time on the 22d of October (1702), at Whitehall; where, after the neceſſary preliminaries were ſettled, the Queen made a ſpeech to them in order to quicken and invigorate their proceedings. The Treaty ſeemed for ſome time in a proſperous train; but when the Scottiſh Commiſſioners gave in their propoſals for preſerving the rights and privileges of their Company trading to Africa and the Indies, ſuch difficulties aroſe as put a ſtop to all farther progreſs, and in the ſequel the Commiſſion was altogether annulled.

In the abſence firſt of the Earl of Rocheſter and then of the Duke of Ormond, ſucceſſively Lords Lieutenants of Ireland, that kingdom was placed under the government of Lord Mount-Alexander, General Erle, and Mr. Knightley, as Lords Juſtices. Meantime the Truſtees for the forfeited Eſtates were continued in the exerciſe of their formidable authority.

Such

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Campaign in Flanders.

Such was the ſtate of affairs at home, when the war on the Continent commenced, agreeably to the advice of the Earl of Marlborough to the States, with the ſiege of Keiſarſwart, a well fortified town, ſituated on the Rhine, ſome leagues below Duſſeldorf. Keiſarſwart belonged to the Elector of Cologne, who had put the French into poſſeſſion of all the ſtrong places in his dominions; and whilſt in their hands, it expoſed both the Circle of Weſtphalia and the eaſtern provinces of the States to alarming inroads. The trenches were opened before the town on the 18th of April (1702), the Prince of Naſſau Saarbruck conducting the operations of the ſiege, and the Earl of Athlone commanding the covering army. Marechal de Boufflers, the French General, having drawn his troops together, paſſed the Maeſe with a view to relieve the fortreſs; and Count Tallard, having poſted himſelf with his flying camp on the oppoſite ſide of the Rhine, ſuccored the garriſon from time to time with freſh troops, ammunition and proviſions. The place was defended with great vigor: but the fortifications being almoſt deſtroyed by the artillery of the beſiegers, and the ravelin and counterſcarp carried by aſſault, the garriſon were compelled, June 15, to capitulate, and were allowed honorable terms.

The Marechal de Boufflers, finding all his attempts to relieve Keiſarſwart rendered abortive by the vigilance of the Earl of Athlone, decamped from Zanten on the 10th of June, and directed his march without beat of drum or ſound of trumpet towards Nimeguen, purpoſing to take a poſition between that place and the Confederate Army. The Earl of Athlone, upon the firſt intelligence of this deſign, alarmed for the ſafety of that important city, put his troops in motion, and made good his retreat under the cannon of Nimeguen—reſiſting and repulſing the various attacks of the French with great reſolution. Marechal Boufflers, perceiving his plan totally fruſtrated, defiled with his whole army towards Cleves, venting his reſentment upon the defenceleſs territories through which he marched, laying waſte the country, and deſtroying the Park of Cleves and all the delicious walks and avenues of that charming place.

Such was the ſtate of the campaign when the Earl of Marlborough arrived

rived to take upon him the command of the Allied Army; the Earl of Athlone, though Veldt-Marechal of the Dutch Forces, and a General of great ability and experience, being compelled by the States to relinquiſh his pretenſions in favor of the Earl of Marlborough, who comported himſelf in a manner ſo reſpectful and obliging, as at once to remove all jealouſy and conciliate the entire confidence and regard of his competitor. The Engliſh Commander, finding his force ſuperior to that of the enemy, reſolved to paſs the Maeſe, below Grave, in purſuit of them; and the Confederates, who were ſo lately reduced to the neceſſity of retreating under the cannon of Nimeguen, had now the pleaſure to ſee the French flying before them; and the Duke of Burgundy, eldeſt ſon of the Dauphin, who accompanied the army, to avoid the participation of this diſgrace now choſe to return to Paris.

The Deputies of the States being anxious to diſpoſſeſs the enemy of the places they held in Spaniſh Guelderland; the Earl of Marlborough gave orders to lay ſiege to Venlo, which ſurrendered on the 25th of September.—He then proceeded to Roermond, ſituated at the confluence of the Roer and the Maeſe, which with Stevenſwart, a fortified town five miles ſouth of Roermond, was reduced before the middle of October. Marechal Boufflers, alarmed at the ſucceſſes of the Confederates, retreated towards Liege, juſtly apprehending that city to be now in danger. But, on the approach of the Earl of Marlborough, not chooſing to riſque a battle, he again put his army in motion towards Tongeren; and Liege being left defenceleſs was delivered up by the Chapter and Magiſtracy. The garriſon, retiring into the citadel, prepared for a vigorous reſiſtance; and M. de Violaine, the Governor, being ſummoned, returned for anſwer, that it would be time enough to think of a ſurrender ſix weeks hence. But in ſix days a practicable breach being made, the place was taken ſword in hand by the moſt extraordinary efforts of valor. This was a conqueſt of great importance, the navigation of the Maeſe being now completely opened; and the Commander in chief was congratulated upon it by the States in the moſt flattering terms of applauſe.

Capture of Liege.

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Extraordinary escape of the Earl of Marlborough.

Upon the breaking up of the army in November, the Earl of Marlborough thought the easiest and most expeditious mode of retiring to the Hague was by falling down the Maese in one of the great boats which navigate that river. He had a guard of 25 soldiers in the boat, and an escort of 50 horse to patrole the banks. But the troopers mistaking their way in the night, three leagues below Venlo, a party of 35 men from the garrison of Gueldres, the only place in Guelderland yet remaining in possession of the French, lurking near the river, suddenly seized the haling-rope, and drawing the boat on shore made a general discharge of fire-arms; and throwing several hand-grenades into the boat amongst the crew, who were mostly asleep, they rendered themselves masters of the vessel before they could recover from their surprise. The Earl was accompanied by M. Opdam, a Dutch officer of high rank, and M. Gueldermalsen, one of the Deputies of the States, who were provided with passes, which the Earl, unsuspicious of danger, had neglected to procure. But his extraordinary presence of mind extricated him from this embarrassment. Recollecting that he had an obsolete pass belonging to his brother General Churchill in his possession, he produced it with the utmost composure; and in the hurry it was returned without examination. After securing the guard and rifling the vessel, which they detained for this purpose some hours, they suffered her to proceed on her voyage. The Governor of Venlo, hearing of the capture, and ignorant of the subsequent release, marched with his whole garrison to invest the town of Gueldres; and the news reaching the Hague in the same imperfect manner, the States resolved that immediate orders be sent to all the forces in the vicinity to assemble and form the siege of the place, menacing the garrison with the last extremities if they refused to relinquish their prisoner: but before the orders could be dispatched, the Earl arrived in safety at the Hague, where he was received with inexpressible joy.

The losses upon the Maese were not the only disappointments suffered by the Court of Versailles during this year. The French Army in Germany slowly assembling under the command of Marechal Catinat; the Imperialists had an opportunity of laying siege to Landau, a strong fortress

fortreſs ſituated on the banks of the Queich in the Lower Alſatia. The place was inveſted by Prince Louis of Baden on the 16th of June; ſeveral weeks elapſed in raiſing batteries and making approaches; and, matters being in a proſperous train, on the 27th of July the King of the Romans arrived in the Confederate camp, in order to have the honor of taking the city. His equipage was ſuperfluouſly expenſive and ſplendid. But the ſiege being retarded by the want of ammunition and ſtores, the place did not ſurrender till the 12th of September.

Defection of the Elector of Bavaria.

The neceſſity of the French King's affairs had forced him, when the loſs of Landau appeared inevitable, to grant the Elector of Bavaria all his demands. No ſooner had this Prince decided in favor of France, than he poſſeſſed himſelf by ſtratagem of the Imperial city of Ulm upon the Danube; which excited great alarm throughout the Empire. The Diet, after a warm debate, reſolved by a great majority of voices to declare war againſt France and Spain; the Emperor was addreſſed to proceed againſt the Elector of Bavaria according to the eſtabliſhed conſtitutions; and the Miniſters of Bavaria and Cologne were forbid to appear any more in that Aſſembly.

In conſequence of the ſeizure of Ulm, the Prince of Baden was obliged to return to the defence of the Empire; and his army being weakened by various detachments, he took a ſtrong poſition near Friedlinguen, where he was attacked by the Marquis de Villars with a far ſuperior force. The Germans under the conduct of this able General defended themſelves with great vigor; and the enemy were finally repulſed, not without conſiderable loſs to the victors. And the Prince being under the neceſſity of abandoning Friedlinguen, the French King cauſed Te Deum to be ſung for the ſucceſs of his arms—the Marquis de Villars being alſo on this occaſion advanced to the dignity of a Marechal of France.

Campaign in Italy.

On the ſide of the Moſelle, the French under M. Tallard made themſelves maſters of Triers and Traerbach. In Italy the war was carried on by the Duc de Vendome and Prince Eugene with an ardent emulation

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of ſkill and valor. The city of Mantua had for a long time been blockaded by the Imperial army; and the ſurrounding paſſes being ſtrongly fortified, the Duc de Vendome marched through the Venetian territories, notwithſtanding the proteſtations of the Republic, to its relief. The Prince, who in conſequence of the defection of the Elector of Bavaria had not received his promiſed reinforcements, at his approach reluctantly withdrew his forces. Philip King of Spain, impatient to ſignalize himſelf in the field, had embraced the indiſcreet reſolution of aſſuming the command of the Italian army in perſon. He arrived in April at Naples, where he received, by a Cardinal Legate, the compliments of the Pope, who nevertheleſs refuſed the inveſtiture of the kingdom; his Holineſs endeavoring by this prudent conduct to preſerve a good underſtanding with both parties—but the Imperial Ambaſſador was ordered upon it to leave Rome. The King of Spain was convoyed to Finale by the French fleet; and ſoon after joining the Dukes of Savoy and Vendome, the united forces of France, Spain, and Piedmont, to the amount of 40,000 men, advanced to Luzzara with a view to cut off the communication of the Imperialiſts with Mirandola and the Modeneſe. Prince Eugene, whoſe army did not exceed 25,000, marched to attack them with the greateſt intrepidity. The Marquis de Feuquieres, whoſe accurate and ſcientific narrative of this engagement gives an artificial intereſt and importance to it, informs us, that the plan formed by Prince Eugene was the moſt maſterly that could be conceived, and failed of ſucceſs by a mere accident. Such was the ſecrecy and rapidity of his operations, that the French had received no intelligence of his being in motion. But the Prince had paſſed the Po, concealing his army behind the high dyke of Zero, and deſigning to commence the attack as ſoon as the enemy had entered in full ſecurity their camp marked out at a little diſtance. The dyke of Zero, forming the canal which extends from Seraglo to Rovero, was in one part carried ſo near the front of the French camp, that one of the Adjutants thought it an advantageous poſt for an out-guard. This officer aſcending the dyke, and taking a view of the country beyond it, ſaw to his amazement the enemy's foot lying with their faces to the oppoſite declivity of the dyke, with all the horſe

Battle of Luzzara.

horſe in the rear ranged in order of battle. The alarm was immediately given; and the Imperialiſts, finding themſelves diſcovered, advanced boldly to the French camp, which they aſſailed with great impetuoſity, and were received with equal bravery. The conteſt was very bloody, and the ſucceſs doubtful. The French at length abandoned the field of battle; and part of their ammunition and proviſions fell into the hands of the Imperialiſts. But the Prince, being weakened even by the advantage he had gained, was obliged to act on the defenſive; and the fortreſs of Luzzara and other contiguous poſts were captured by the French, who had upon the whole ſomewhat the advantage of the campaign, though by no means what their great ſuperiority of numbers entitled them to expect.

Unſucceſsful attempt on Cadiz.

It remains to relate the naval exploits of the preſent year. The confederate fleet, conſiſting of fifty ſhips of the line, with about 14,000 land-forces on board, under the command of Sir George Rooke and the Duke of Ormond, ſailed from St. Helen's July 1ſt, on a ſecret expedition; and on the 12th of Auguſt they caſt anchor before the city of Cadiz. One ſide of the two bays of Cadiz, both inner and outer, is formed by a narrow neck of land which runs into the Weſtern Ocean three miles in length. At the extremity of this neck ſtands the town of Cadiz, well fortified towards the land on the eaſt, and the bay on the north. St. Mary's is ſituated on the oppoſite ſhore. The inner bay, called the Pointal, formed by two points of land 700 yards diſtant, is commanded by two forts, called Matagorda and St. Laurent. The men of war and the galleys that lay in the outer bay retired into the Pointal, whither Sir Stafford Fairborne offered immediately to follow them; but this Sir George Rooke thought too hazardous. And inſtead of proceeding to vigorous enterpriſe, ſeveral days were loſt in endeavoring to obtain intelligence; in which time the moſt valuable effects of the Spaniards were conveyed from Cadiz to St. Mary's, and the narrow paſſage between the bays rendered impracticable. At length a Council of War was called, which, in oppoſition to the remonſtrances of the Duke of Ormond, came to a reſolution not to make an attempt on the Iſland of Cadiz.

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Cadiz. However, the land-forces being diſembarked made themſelves maſters of Port St. Mary, where the authority of the General was inſufficient to reſtrain them from the groſſeſt exceſſes. After an unſucceſsful attempt on the Fort of Matagorda, it appeared to be the general opinion that nothing could be done; and proviſions growing ſcarce, and the Naval Commanders repreſenting the dangers of the ſea at this ſeaſon, the Duke of Ormond with great reluctance conſented to re-imbark the land-forces; and the whole fleet ſet ſail for England.

Capture of Vigo.

On their return they received, by a fortunate chance, the intelligence that the Spaniſh flota, under the convoy of a ſtrong ſquadron of ſhips of war, had put into the harbour of Vigo, which it was inſtantly determined to attack. All thoſe difficulties which were magnified into mountains at Cadiz here dwindled into mole-hills. The Duke of Ormond, at the head of a large detachment of troops, reduced by extraordinary exertions of valor the caſtles at the entrance of the port. And the immenſe boom thrown acroſs the harbor being broke aſunder by Admiral Hopſon, who bore with full ſail againſt it in the Torbay; the whole fleet of men of war and galleons, which had retreated thither for ſecurity, were deſtroyed or captured, with inconſiderable loſs. The cargo on board the flota was computed at twenty millions of pieces of eight in gold and ſilver—the goods were valued at as much more. Both of ſpecie and merchandize, however, a large proportion was taken out and ſaved by the enemy. But enough remained to reward and enrich the captors, who, at their arrival in England, were received with loud acclamations—the ſucceſs at Vigo ſilencing the clamors occaſioned by the previous miſcarriage at Cadiz.

Seſſion of Parliament.

The Parliament of England, which by law terminated ſix months after the death of the King, was on the 2d of July diſſolved by Proclamation, and a new Parliament ſummoned, which met for the firſt time on the 20th of October (1702), Robert Harley being again choſen Speaker. The Queen opened the ſeſſion with a popular ſpeech, in which ſhe expreſſed her determination "to proſecute thoſe meaſures which ſhould be

be moſt effectual for diſappointing the boundleſs ambition of France; and that the Nation might the more cheerfully bear the neceſſary taxes, ſhe deſired the Commons to inſpect the accounts of the public receipts and payments, in order to detect abuſes and puniſh the offenders."

Aſcendency of the Tories.

The complexion of the Houſe of Commons quickly appeared to be of the Tory and High Church caſt; and an Addreſs was preſented abounding with oblique and invidious reflections on the memory of the late King. In one paragraph it is ſaid, "The vigorous ſupport of your Majeſty's Allies, and the wonderful progreſs of your Majeſty's arms under the conduct of the Earl of Marlborough, have ſignally RETRIEVED the ancient honor and glory of the Engliſh Nation." In lieu of this unjuſt and malicious expreſſion, all who had a regard for the memory of King William ſtrenuouſly inſiſted on ſubſtituting the word MAINTAINED, aſſerting with truth, "that in no reign was the honor of the Nation ever carried to a greater height—that to him they owed their preſervation—and that he had deſigned and formed that great confederacy from which all the recent ſucceſſes had reſulted." On a diviſion, the word RETRIEVED was nevertheleſs retained by a majority of 100 voices; the whole ſtrength of the Court being meanly and injuriouſly engaged on that ſide *.

* Mr. Walſh, the celebrated poet and critic, at this time Knight of the Shire for the County of Worceſter, compoſed, on occaſion of this debate, the following happy ſatiric Verſes, inſerted in a Poem called The Golden Age, written in ludicrous alluſion to the Fourth Eclogue of Virgil.

Now all our factions, all our fears ſhall ceaſe,
And Tories rule the promis'd land in peace.
Malice ſhall die, and noxious poiſon fail;
Harley ſhall ceaſe to trick, and Seymour ceaſe to rail.
The Lambs ſhall with the Lions walk unhurt,
And Halifax with Howe meet civilly at Court.
Viceroys, like Providence, with diſtant care
Shall govern Kingdoms where they ne'er appear:
Pacific Admirals, to ſave the fleet,
Shall fly from conqueſt, and ſhall conqueſt meet:
Commanders ſhall be prais'd at WILLIAM's coſt,
And HONOR be RETRIEVED—before 'tis loſt!

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The Queen had in her ſpeech declared, "that ſhe was reſolved to defend and maintain the Church as by law eſtabliſhed," without any mention of toleration; and the Commons in reply compliment her Majeſty on being "a moſt illuſtrious ornament to the Church;" and they ſay, "We promiſe ourſelves that in your Majeſty's reign we ſhall ſee it perfectly *reſtored* to its due rights and privileges, and ſecured in the ſame to poſterity, which is only to be done by diveſting thoſe men of the power who have ſhewn they want not the will to deſtroy it." Very ſerious and juſt alarm was taken at the tenor of this ſpeech and addreſs, by the Whigs, and more eſpecially the Diſſenters; but affairs took a ſubſequent direction very different from the general expectation.

Soon after the commencement of the ſeſſion, the Queen, by a meſſage to the Houſe of Commons, recommended the making a farther proviſion for the Prince of Denmark in caſe of ſurvivance. The Court of Hanover had entertained very uneaſy apprehenſions leſt an effort ſhould be made by his Royal Highneſs to obtain a participation in the regal dignity: but the indolence and incapacity of the Prince were wholly unequal to the accompliſhment, and it may almoſt be ſaid to the conception, of ſo great an object. The Houſe voted him a revenue of 100,000 l. per annum, with which he appeared entirely ſatisfied.

The Earl of Marlborough, for his great ſervices during the laſt campaign, was about this period created a Duke; and the Queen informed the Houſe of Commons, that ſhe had alſo granted him a penſion of 5000 l. per annum out of the Poſt-office Revenue, and ſignified her wiſh that it might be perpetuated to him and his heirs by Act of Parliament. This occaſioned high debates; and the Duke, ſeeing the averſeneſs of the Commons to comply, requeſted the Queen to withdraw her meſſage. And the Houſe, by way of apology, ſtated, in an Addreſs to the Throne, "their apprehenſions of the danger of making a precedent for the alienation of the revenue of the Crown, *ſo much reduced by the exorbitant grants of the laſt reign.*" This refuſal was thought nevertheleſs to excite in the mind of the Duke no little chagrin and reſentment towards the

Tory party, the zealots of which deteſted the temporiſing meaſures of the preſent Miniſters, and were loud and inceſſant in their applauſes of the Earl of Rocheſter.

Occaſional Conformity Bill thrown out by the Lords.

The Toleration Act, paſſed in the late reign, had ever been regarded by the ſame deſcription of perſons with an eye of jealouſy and averſion. But the happy effects of the Toleration were by this time ſo apparent, and the Act itſelf was ſo much the object of national reverence, and appeared ſo ſtrongly engrafted into the Conſtitution as ſettled at the Revolution, that every idea of a repeal was precluded. The Diſſenters were therefore to be attacked during the prevalence of the Tory influence in a different quarter. It ſeems that Sir Humphry Edwin, a Diſſenter, who ſerved the office of Lord Mayor of London in 1697, had, during his mayoralty, been guilty of the groſs indiſcretion of attending in his formalities with the City ſword, &c. at a certain Meeting-houſe or *Conventicle*, called Pinner's Hall. This was much exclaimed againſt at the time, and was now made the pretext for bringing in a Bill for preventing, under very great and grievous penalties and incapacities, the practice of Occaſional Conformity, which was painted in frightful colors as an enormity by which the CHURCH was expoſed to the moſt imminent dangers. In the preamble of the Bill the Toleration was aſſerted, and all perſecution for conſcience ſake condemned in an high ſtrain: yet, when a clauſe was moved to exempt Proteſtant Diſſenters from ſuch onerous offices as could not be executed without a compliance with the Teſt, it was carried in the negative—ſo that, whether they did or did not accept in ſuch caſes, they were liable, if not to perſecution, at leaſt to puniſhment. This Bill paſſed the Commons by a great majority, and was carried up to the Lords, who received it with viſible marks of coldneſs and diſguſt. Unwilling, however, to put a direct negative upon the Bill, the adverſe party took an effectual method of defeating it by altering and mitigating the pecuniary penalties therein impoſed. The Houſe alſo ſtruck out a declaratory clauſe, affirming it to be the intent of the Teſt Act that every perſon complying therewith ſhould be in all reſpects conformable to the Church. Even with theſe modifications the

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the Bill paſſed with difficulty, though the influence of the Court was fully exerted in its favor. The Lords Marlborough and Godolphin declared openly for the Bill; and Prince George of Denmark, himſelf an Occaſional Conformiſt, and habitually attending at the Daniſh Chapel, divided in favor of it. Previous to the diviſion, the Prince is reported to have ſaid in his broken Engliſh to Lord Wharton on paſſing below the bar, "*My herte iz vid you.*" The Bill being returned to the Commons, a free conference was demanded and held on the ſubject of the amendments; and each Houſe, after vehement altercation, adhering to its opinion, the Bill was loſt for this ſeſſion.

The diſpoſition of the Commons farther diſplayed itſelf by a Bill prolonging by a whole year the time allowed for taking the Abjuration Oath. The Upper Houſe agreed to this, but the Whig Lords had influence ſufficient to obtain the inſertion of two important clauſes; the firſt declaring it high treaſon to endeavor to defeat the ſucceſſion to the Crown as now by law eſtabliſhed;—and, ſecondly, for extending the obligation of the oath to Ireland. This was turning the tables very dextrouſly upon the Tories, the clauſes being ſo plauſible and popular, that the Commons would not venture to reject them. A Bill was alſo in the courſe of the ſeſſion introduced by Sir Edward Seymour, for "reſuming all the grants of the late King." This blow was happily parried by Mr. Walpole, Member for Lynn Regis, diſtinguiſhed very early in life by his parliamentary talents, who moved to add, "and thoſe of King James."—This was negatived; but, the partiality being too apparent, the Bill was ſubſequently dropped.

The Place Bill, ſo much a favorite with the Tories during the late reign, was now revived by the Whigs, and brought into the Houſe by Sir John Holland. But its former advocates, Howe, Muſgrave, Seymour, &c. with ſurpriſing effrontery oppoſed and negatived it; inſtead of which they brought in a Bill founded on a novel idea, which they pretended would anſwer the purpoſe of ſecuring the independency of the Houſe much better—providing that no perſons ſhall be choſen

Members

Members but such as are possessed of a certain qualification in landed estate. This was however rejected by the Lords, and the session was terminated so early as the 27th February 1703—the Queen declaring in her speech "her resolution to maintain the Act of Toleration, with which she hoped those who had the *misfortune* to dissent from the Church would rest satisfied." BOOK V. 1703.

Proceedings of the Convocation.

The proceedings of the Convocation, which sat during the session of Parliament, are almost too inconsiderable for historic notice. In their Address they told the Queen, "that they promised themselves, whatever might be wanting to *restore* the Church to its due rights and privileges, her Majesty would have the glory of doing it, and of securing it to posterity." The same frivolous disputes relative to the privileges of the Upper and Lower House were revived; and the chief artifice of the Bishops being to represent the refractory members of the Lower House as favorers of Presbytery, a resolution was passed, affirming, "in opposition to all scandalous and malicious representations of their sentiments, the Order of Bishops to be of divine apostolical institution," in which they desired the concurrence of the Upper House, "in order that it might be the standing rule of the Church." But this was remarked to be a manifest attempt to make a new canon or constitution, without obtaining a royal licence, contrary to the Statute of Henry VIII.—and in the midst of their great zeal they found it necessary to beware of the dangers of a *præmunire*. The Lower House of Convocation at length represented their grievances in a labored petition to the Queen, setting forth, "that, after ten years' interruption of Convocations, several questions had arisen respecting the rights and liberties of the Lower House, which they implored her Majesty to call into her own royal audience." The Queen promised to consider their petition, and send them an answer as soon as she could. But no answer was ever returned. Lord Nottingham, the great Patron of the Church, acknowledged he did not understand the question; and the present Ministers, being men of penetration and ability, saw doubtless the absurdity of making themselves parties in a dispute which nothing could elevate to consequence but the interposi-

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tion of the Civil Power. And the proceedings of the Convocation, once ſo formidable, ſerved only to prove how eaſily an aſſembly of Churchmen, diveſted of power, ſink into neglect and contempt.

It may deſerve mention as a *trait* of the weakneſs and ſuperſtition of the Queen's character, that at this period the prepoſterous practice of *touching* for the king's-evil was revived; and to make the impiety vie with the nonſenſe of the thing, an office was inſerted in the Liturgy, to be uſed upon the occaſion. One Bernard, appointed Firſt Surgeon to the Queen, a man of wit, who had often made this *precious foolery* the ſubject of his ſatire, being reminded of his former jeſts, ſaid with a ſneer —"Really one could not have thought it, if one had not ſeen it."

Naval tranſactions in the Weſt Indies.

The operations of the Engliſh arms in the countries beyond the Atlantic had been upon the whole favorable in the courſe of the laſt year. Colonel Moore, Governor of Carolina, with a ſtrong Provincial force made himſelf maſter of the town of St. Auguſtine, capital of the neighboring Spaniſh ſettlement of Florida; but the arrival of ſome French and Spaniſh ſhips compelled him to evacuate his conqueſt previous to the ſurrender of the fort or citadel. Colonel Codrington, Governor of the Leeward Iſlands, landing on the Iſle of Guadaloupe, poſſeſſed himſelf of the town and caſtle of Baſſe-terre; and, after ravaging and plundering the country, he retired with inconſiderable loſs to St. Chriſtopher's —Guadaloupe at that time, as it ſhould ſeem, not being thought worth the expence of keeping. An Engliſh armament, conſiſting chiefly of privateers, ſailing up the river Darien, arrived in twelve days at the golden mines of Santa Cruz, near St. Martha, whence, though the country was previouſly alarmed, they carried off a great booty.

Memorable engagement of Benbow.

The ſquadron detached by the late King under Admiral Benbow to the Weſt Indies fell in, Auguſt the 19th, 1702, with a French armament of nearly equal force under M. de Caſſe. But the Defiance and Windſor, two of his capital ſhips, after receiving two or three broadſides, deſerted the line, and bore away out of gun-ſhot. Other ſhips of the

fleet

fleet alſo falling aſtern, the French endeavored to eſcape in the night. The Engliſh Commander purſued, hoping his Captains, on the renewal of the engagement, would not fail to do their duty. For ſeveral ſucceſſive days the Admiral fought the enemy with the utmoſt bravery, though very ill ſupported, till on the 24th his right leg was broke in pieces by a chain-ſhot; but, ordering his cradle upon the quarter-deck, he continued the fight with undiminiſhed ardor. Almoſt all the other ſhips keeping aloof, he made the ſignal for the Captains to come on board: but his entreaties and reproaches proved equally unavailing, and he was moſt reluctantly compelled to deſiſt from any farther purſuit of the enemy, though actually within his graſp. Returning to Jamaica, he ordered a Court Martial to be held on ſix of the Captains, two of whom, Kirkby and Wade, were condemned to be ſhot; which ſentence was in the ſequel executed upon them, by her Majeſty's command, at Plymouth. Admiral Benbow, after languiſhing ſome weeks, died of his wounds, extremely lamented as one of the braveſt and moſt experienced naval officers that England ever bred. He was a man poſſeſſed of many virtues, but his manners were extremely rough and repulſive: and the behavior of the delinquent Captains was ſuppoſed to reſult more from reſentment than cowardice. In a letter written by Benbow after the engagement, he declares, "that the loſs of his leg did not trouble him half ſo much as the villainous treachery of ſome of his Captains." It is remarkable, that the name of Benbow is ſtill of great and undiminiſhed popularity in the Britiſh Navy.

Campaign in Flanders, &c.

Early in the ſpring of the year 1703, the Duke of Marlborough re-aſſumed the command of the Allied Army, and opened the campaign with the ſiege of the important town of Bonne—after the reduction of which, he marched towards the French army under M. de Villeroi, with an intention to give them battle; but at his approach that General thought proper to retire within his lines, after ſetting fire to his camp; and the Duke was obliged to ſatisfy himſelf with the conqueſt of Rhinberg, Huy, Limburg and Gueldres.

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On the Rhine Marechal Villars maintained the ſuperiority of the arms of France. That able and fortunate General in the month of March inveſted the fortreſs of Kehl oppoſite Straſburg, which ſoon ſurrendered on honorable terms. And he had orders from the Court of Verſailles to join the Elector of Bavaria, who had defeated the Imperialiſts at Scarding, and taken poſſeſſion of the city of Ratiſbon, where the Diet of the Empire was actually aſſembled. Prince Louis of Baden lay encamped at Stolhoffen, where he was attacked in his entrenchments by Marechal Villars and Count Tallard, with a force more than double his number; but the French were vigorouſly repulſed, and the two Marechals obliged to withdraw with ſome precipitation. Nevertheleſs, Marechal Villars, penetrating the paſſes of the Black Foreſt, joined the Elector near Dutling. It was alſo deſigned that this Prince ſhould be farther reinforced by the Duc de Vendome from the Milaneſe: but the Elector, marching into the Tyrol, with a view to facilitate this junction, where he even made his triumphal entry into Inſpruck the capital, was in the ſequel attacked by the peaſants of the country with ſuch fury that he was compelled to evacuate the whole territory with great loſs; and the Duc de Vendome, who had advanced almoſt to Trent, retired back to Italy, where the Imperialiſts were too weak and too ill ſupplied to be able to act offenſively; and the miſcarriage of the deſign upon the Tyrol loſt the French ſo much time, that they made no other acquiſition this ſummer beyond the mountains than the ſtrong fortreſs of Barſello, accounted the key of the Duchy of Modena. On the ſecond junction of the Elector with Marechal Villars, the Imperial General Count Stirum was attacked and totally routed by the united forces of France and Bavaria; after which, the Imperial city of Augſburg, notwithſtanding the efforts of the Prince of Baden for its relief, was obliged to ſurrender to the Elector, who now became very formidable. In the mean time, the Count de Tallard reduced the cities of Old Briſac and Landau; and the ſucceſſes of the French on the Rhine, and in the heart of Germany, made ample amends for their diſaſters in Flanders.

The French intereſt nevertheleſs received a great blow this year by the

the defection of Savoy, and by the acceſſion of Pruſſia and Portugal to the Grand Alliance. The French Court, having reaſon to ſuſpect the deſigns of the Duke of Savoy, covered as they were by the moſt artful ſubtlety, employed the Elector of Bavaria to write a pretended confidential letter to him, filled with complaints of the inſolence and perfidy of the French, and inviting the Duke to join in concert, in order to counteract their projects, and reſtore the peace of Europe. The Duke, miſtruſting nothing, wrote him a frank anſwer, acknowledging his own intended change. On this, orders were tranſmitted to the Duc de Vendome to ſeize and diſarm the troops of Savoy, and to demand the ſurrender of the fortreſſes of Verceil, Verjur, Suſa, and other places: and a menacing meſſage was delivered to his Highneſs from the French King, declaring, "that ſince neither religion, honor, nor intereſt were of force to bind him to his engagements, he had ſent his couſin the Duc de Vendome at the head of his army, to make known to him his intentions—allowing him 24 hours only to reſolve what to do." In the interim, the Duke of Savoy had concluded a treaty with the Court of Vienna, and recogniſed the Archduke Charles as King of Spain: and Count Staremberg, who had the reputation of being the ableſt General in the Imperial ſervice next to Prince Eugene, received orders to march to his relief. This was a commiſſion very difficult and hazardous to execute—the winter being now far advanced, and the enemy in poſſeſſion of almoſt the whole country from Modena to Turin. But by extraordinary exertions of military ſkill and valor, the Count formed a junction with the Piedmonteſe army on the 13th of January 1704.

The determination of the Court of Liſbon was ſuppoſed to be chiefly influenced by the repreſentations of the Grand Admiral of Caſtile, who, being entirely gained over to the Imperial intereſt, had retired into Portugal with the wealth he could carry with him, and by urgent perſuaſions and magnificent promiſes prevailed upon the King of Portugal to accede to the Grand Confederacy. And a treaty was in conſequence ſigned on the 24th of May 1703, between the Emperor, the Queen of Great Britain, the States General, and the King of Portugal; by which

the

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the Maritime Powers engaged to ſend over a powerful fleet, with 12,000 troops and a great ſupply of money and arms, to Portugal—that Monarch ſtipulating to have an army of 28,000 men ready to join them, and the Archduke was to take the command of the combined forces in perſon. In the month of October the nominal Monarch arrived in Holland, having had an interview with the Duke of Marlborough at Duſſeldorf, to whom he preſented a rich ſword, accompanying it with high expreſſions of eſteem and regard—ſaying, "he hoped the Duke would not think it the worſe for his having worn it himſelf one day."

Tremendous ſtorm.

His Catholic Majeſty was detained ſome weeks in Holland by a ſucceſſion of ſtorms and tempeſts, which on the night of the 26th of November (1703) roſe to an height never before remembered in England. The city of London was ſhaken as by an earthquake: the noiſe and violence of the hurricane, accompanied by torrents of rain, were dreadfully terrific; and the darkneſs was changed into artificial day by the inceſſant glare of lightning. The roofs of very many churches and other public buildings were uncovered—the wind rolling up the ſheets of lead as ſcrolls of parchment. A great number of houſes were blown down; Dr. Kidder, Biſhop of Bath and Wells, with others of the family, were killed by the fall of the epiſcopal palace; and the damage ſuſtained in all parts of the kingdom was incalculable. Rear Admiral Beaumont, who commanded a ſquadron then lying in the Downs, was loſt on the Goodwin Sands, in the Mary of ſixty-four guns, with ſeveral other line of battle ſhips; and 1500 ſeamen were computed to have periſhed. The admired and beautiful ſtructure of the Eddyſtone light-houſe, built by the famous Winſtanley, was demoliſhed; the architect himſelf being of the number of perſons incloſed in it. Having been frequently told that the edifice was too ſlight to withſtand the fury of the winds and waves, he was accuſtomed to reply contemptuouſly, that he only wiſhed to be in it when a ſtorm ſhould happen. Unfortunately his deſire was gratified. Signals of diſtreſs were made, but in ſo tremendous a ſea no veſſel could live, or would venture to put off to their relief.

About

About the end of December the King of Spain landed at Portſmouth, and immediately repaired to Windſor, where the Court was then celebrating the feſtival of Chriſtmas. Here he was entertained with a ſplendor and magnificence correſponding with the opulence and grandeur of the Britiſh Nation. This young Prince diſplayed the true Auſtrian reſerve and gravity, ſpeaking very little, and never once being perceived to ſmile. His manners were nevertheleſs perfectly decorous and obliging, and he appeared highly pleaſed and gratified with his reception. Early in the new year (1704), he ſailed, under convoy of a powerful ſquadron commanded by Sir George Rooke, to Liſbon, where he was welcomed with all the honors due to a King of Spain.

Seſſion of Parliament.

On the 9th of November 1703, the ſeſſion was opened by a very warlike Speech, demonſtrating only how abſolute was the aſcendency now acquired by the Marlborough connection over the pacific and unambitious diſpoſition of the Queen. She demanded "ſuch ſupplies as ſhould be requiſite to defray the neceſſary charge of the war during the next year, with regard not only to all the former engagements, but particularly to the alliance lately made with the King of Portugal, *for recovering the Monarchy of Spain from the Houſe of Bourbon, and reſtoring it to the Houſe of Auſtria*"—an object which was never avowed, nor, as there is any reaſon to believe, ever entertained by the late King William, the original projector of the Grand Alliance. In the concluſion of her Speech the Queen expreſſed her earneſt deſire of ſeeing all her ſubjects in perfect peace and union amongſt themſelves; and ſhe deprecated any heats or diviſions that might deprive her of that ſatisfaction, and give encouragement to the common enemies of Church and State.

Occaſional Conformity Bill a ſecond time rejected by the Lords.

This denoted the riſing aſcendency of Whig principles; and was underſtood as an intimation of her deſire, that there ſhould be no farther proceedings in the Bill againſt Occaſional Conformity, ſo oppoſite to the policy of the Whigs, upon whoſe zeal the Miniſters greatly depended for the farther proſecution of the war. But in a very ſhort time after the meeting of Parliament, a motion was made in the Houſe of Commons

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for leave to bring in a Bill againſt Occaſional Conformity, and carried, notwithſtanding the *non-concurrence* of the Court, by a great majority. It was, however, ſomewhat differently modified from the former, and the penalties greatly mitigated; and in the preamble the clauſe againſt perſecution was modeſtly and properly omitted. The old topics of the hypocriſy of the Sectaries and the danger of the Church being ſtill the favorite theme, the Bill triumphantly paſſed the Houſe on the 7th of December (1703); and being ſent up to the Lords, it occaſioned a debate of many hours, whether the Bill ſhould be read a ſecond time, or thrown out. The Prince of Denmark, and ſeveral other Peers connected with the Court, abſented themſelves from the Houſe; and others, who had formerly voted for it, pretending they ſaw farther into the deſign of the Bill, now appeared openly againſt it. The Biſhops, heſitating between oppoſite intereſts, were almoſt equally divided; and Biſhop Burnet, the champion of the Low Church party, made an able and impreſſive ſpeech in oppoſition to the Bill. This prelate cited the example of Queen Elizabeth, who was ſo far from thinking a law of this kind neceſſary, that ſhe encouraged the occaſional conformity of Papiſts in her reign as a meaſure of policy, with the general approbation of the Kingdom. But the Pope ſaw the tendency of this indulgent ſyſtem, and therefore HE took care to put a ſtop to it. "Surely," ſaid he, "the Diſſenters in this reign are not more to be dreaded than the Catholics in that of Elizabeth. After the late King had delivered us from our fears and dangers, and an Act of Toleration was paſſed, the Church, far from being weakened by it, had become both ſtronger and ſafer; and the numbers of the Non-conformiſts had conſiderably diminiſhed. But a meaſure of this nature will," ſaid he, "excite their jealouſy and their anger; and when theſe paſſions are awakened, it is in vain to expect to work by any arguments upon their reaſon. The Biſhop ſaid, that he himſelf had been an occaſional conformiſt at Geneva and in Holland; and he thought that occaſional conformity with a leſs perfect church very conſiſtent with the habitual worſhip of GOD in a more perfect one; and it remained a mere point of opinion, which church or ſociety was the more and which the leſs perfect. He himſelf thought the ſeparation of the Diſſenters founded on error and

miſtake:

miſtake: but if they were to be tolerated in their miſtakes, he knew not why they ſhould not be tolerated in a practice which had a direct tendency to moderate and rectify them. Before the civil wars of the laſt century, he obſerved that a great difference was conſtantly made between the Puritans and the Browniſts, on this very account: and the former had been allowed ſome degree of merit, in conforming to the Church ſo far as they lawfully could; and the latter condemned as ſchiſmatics in totally ſeparating from it. But now all was reverſed. Thoſe who came neareſt to the Church were diſcouraged, and the moſt hoſtile and bigoted ſeparatiſts only are deemed entitled to indulgence and favor. If occaſional conformity be an error, I ſee not," ſaid this liberal prelate, "why it ſhould be worſe treated than the errors that are now tolerated: for of all errors it is that which has done the greateſt ſervice to the Church." The Lords Marlborough and Godolphin, though they declared the Bill to be *unſeaſonable*, voted for the ſecond reading of it. But this by no means ſufficed to maintain their reputation with the High Church party, who plainly perceived their change of ſentiment reſpecting this favorite meaſure—and from this period theſe Lords were decried by the Tories throughout the kingdom as cold or lukewarm friends of the Church—and the Earl of Rocheſter extolled by them as the only man who could be depended upon for zeal and firmneſs in defence of the civil and eccleſiaſtical conſtitution of the realm in times of difficulty and danger. On dividing the Houſe, it was reſolved by a majority of twelve voices not to give the Bill a ſecond reading, but to REJECT it *.

* In the Queen's private correſpondence with the Ducheſs of Marlborough at this period, under the feigned names of Mrs. Morley and Mrs. Freeman, her real and ſecret inclination in favor of the Tories is ſtrongly expreſſed. She ſays, "I muſt tell you Mr. Bromley will be diſappointed; for the Prince does not intend to go to the Houſe when the Bill againſt Occaſional Conformity is brought in. But, at the ſame time that I think him very much in the right not to vote in it, I ſhall not have the worſe opinion of any of the Lords that are for it. For though I ſhould have been very glad it had not been brought into the Houſe of Commons, becauſe I would not have had any pretence given for quarrelling, I cannot help thinking, now it is as good as paſſed there, it will be better for the ſervice to have it paſs the Houſe of Lords too. I muſt own to you that I never cared to mention any thing on this ſubject to you, becauſe I knew you would not be of my mind—but ſince you have given me this occaſion, I cannot forbear ſaying, that I ſee nothing like perſecution in this Bill."

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Fraſer's plot.

In the courſe of the preſent ſeſſion a diſcovery was made of a plot which excited much attention, and ſome alarm, though ſcarcely deſerving of either. Simon Fraſer of Beaufort, head of the clan of the Fraſers, who aſſumed upon queſtionable authority the title of Lord Lovat—a man of a character infamouſly profligate, of much low cunning and plauſible addreſs, had been deputed from the Court of St. Germaine's into Scotland, with a commiſſion to treat with the Highland Chieftains who were ſtill attached to that intereſt. After much intrigue and cabal, not only with the Highlanders but divers of the Scottiſh Nobles, he obtained an introduction to the Duke of Queenſberry, High Commiſſioner, to whom he betrayed the whole ſecret of his embaſſy. And it appears that Queenſberry took an ungenerous advantage of this diſcovery, to expoſe, if not to ruin, ſeveral perſons whom he accounted his perſonal or political enemies, particularly the Marquis of Athol, for whom Lovat pretended to have a letter from the Queen at St. Germaine's, thanking that Nobleman for his aſſurances of fidelity and attachment. The direction of this letter, ſaid to be intended for the Duke of Gordon, was obſerved to be in a hand different from the contents, to which it was affirmed by the friends of the Marquis to be inſidiouſly affixed by Lovat, between whom and Athol ſubſiſted a *deadly feud*. Intelligence being conveyed by Queenſberry to the Miniſters in London of this ſecret miſſion of Lovat, which was alſo corroborated by the ſeizure of ſeveral Jacobite emiſſaries, at or about this time; her Majeſty on the 17th of December 1703 acquainted the two Houſes in a formal Speech, "that ſhe had unqueſtionable information of very ill practices and deſigns carried on in Scotland." A very long and tedious examination of particulars followed hereupon, upon which the Houſe of Commons paſſed no judgment, and offered no advice; but the Houſe of Peers, as the reſult of the whole, towards the end of the ſeſſion, came to a reſolution, which they expreſſed in an Addreſs to the Queen, "That there appeared to have been a dangerous conſpiracy carried on for raiſing a rebellion in Scotland, and invading that kingdom with a French power; and their Lordſhips gave it as their opinion, that nothing had given ſo much encouragement to her Majeſty's enemies to enter into this deteſtable conſpiracy, as that the ſucceſſion to the Crown

of Scotland was not declared to be in the Princeſs Sophia and her heirs, being Proteſtants." To which the Queen replied, "That ſhe had already declared her intentions of endeavoring the ſettlement of the Proteſtant ſucceſſion in Scotland, as the effectual means of ſecuring their quiet and our own, and the readieſt way to an entire union between both kingdoms, in the perfecting of which it was very deſirable that no time ſhould be loſt."

The ſecret correſpondence of Fraſer with Queenſberry could not long remain unſuſpected by the Jacobites. In conſequence of a paſs procured for him by that Nobleman, he returned to the Continent, and, repairing to the Court of St. Germaine's, delivered in a long and confuſed memorial to the Queen Regent, containing a pompous account of the ſucceſs of his miſſion, acknowledging without reſerve his intrigues with Queenſberry, Argyle, Leven, &c. On the peruſal of this memorial, the Earl of Middleton, clearly perceiving the falſehood and treachery of Lovat, declared in a letter to M. de Torcy (Jan. 16, 1704) "that, although he never had a good opinion of him, he did not think him fool enough to accuſe himſelf. The informations given againſt him by others," ſaid his Lordſhip, "are out of the queſtion. He acknowledges plainly a formal diſobedience; for he was abſolutely forbidden to treat with any but the Highlanders. He told me that Queenſberry, Argyle, and Leven were the greateſt enemies of the King in that country; yet he communicated to them the whole of his commiſſion. He rejects extraordinary offers, but obtains a paſs to go to London; and from thence the ſame Queenſberry obtains another paſs for him under a borrowed name, to ſecure his ſafe return to France. It is therefore clear as day-light, that theſe Noblemen wanted to employ him here as a ſpy—and for ſeizing letters and commiſſions which might ſerve as proofs againſt the men of honor in that country *." In concluſion, Lovat, in reward of the great ſervices he boaſted to have performed, was thrown into the priſon of the Baſtille. The moſt remarkable circumſtance attending this futile conſpiracy, was the extreme ardor with which it was inveſtigated by the Peers, and the

* Macpherſon's Papers, vol. i. p. 652.

indifference

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indifference approaching to contempt apparent in all the proceedings relative to it in the Houſe of Commons—affording a good political barometer of the general ſtate of parties and opinions in the Legiſlative Body.

First-fruits and tenths reſtored to the Clergy.

Great and merited popularity was acquired by the Queen in conſequence of a meſſage delivered to the Houſe of Commons by the Secretary of State, Sir Charles Hedges, on the anniverſary of her birth-day this year, 1704, importing, "that her Majeſty, having taken into her ſerious conſideration the mean and inſufficient maintenance belonging to the Clergy in divers parts of this kingdom, to give them ſome eaſe had been pleaſed to remit the arrears of the tenths to the poor Clergy: and for an augmentation of their maintenance her Majeſty declared that ſhe would make a grant of her whole revenue ariſing out of the firſt fruits and tenths, *as far as it ſhould become free from incumbrances*, to be applied to this purpoſe. And if the Houſe of Commons could find any proper method by which her Majeſty's good intentions to the poor Clergy might be made more effectual, it would be of great advantage to the Public, and acceptable to her Majeſty." Upon the Queen's meſſage a Bill was brought in, enabling her to alienate this branch of the revenue, then amounting to about 17,000 l. per annum, but ſince much improved and increaſed, and to create a Corporation by charter to apply it to the uſe for which ſhe now gave it. In aid of which purpoſe, a partial repeal of the Statute of Mortmain took place, that it might be free to all men to give or bequeath what they thought fit towards the augmentation of the fund. This excellent charity is known by the appellation of Queen Anne's bounty; and it produced a ſet of Addreſſes from all the Clergy of England, full of thanks and juſt acknowledgments. To render the Royal Meſſage perfectly intelligible, it is neceſſary to remark, that this antient branch of the papal, and, ſince the æra of the Reformation, of the royal, revenue had never been regularly paid into the Royal Treaſury; but, being collected by the Biſhops, was ſet apart as a fund on which to make aſſignments to Court favorites—the Earl of Sunderland at this very period enjoying a penſion

of

of 2,000 l. per annum for two lives, payable out of the ſame. As the Courtiers, therefore, were ſo much intereſted in the perpetuation of this abuſe, greater merit is aſcribable to the Queen for adopting a mode of extinguiſhing it, at once ſo effectual and ſo beneficial.

A remarkable Act paſſed this ſeſſion, empowering Juſtices of the Peace to take up ſuch idle perſons as had no calling or means of ſubſiſtence, and to deliver them to the officers of the army, upon paying them the levy-money allowed for raiſing recruits. Another Bill was likewſe introduced into the Houſe of Commons, to compel the ſeveral pariſhes throughout England to furniſh to the army a certain complement of men. But this being regarded, in times more vigilant and jealous than the preſent, as "a copy of what was practiſed in France and other deſpotic Governments, and inconſiſtent with the Conſtitution and Liberty of Engliſhmen," it was unanimouſly REJECTED. On the 3d of April (1704) the Queen came to the Houſe, and in a Speech of form put an end to the ſeſſion.

Whigs gain ground at Court.

Earl of Nottingham reſigns.

The Whigs ſtill appeared to gain ground in the Cabinet. The Earl of Nottingham, while the Parliament was yet ſitting, reſigned his poſt of Secretary of State—not being able to obtain the diſmiſſion of the Dukes of Somerſet and Devonſhire from the Queen's ſervice, and reſolving, as he declared, to participate no longer in any Councils to which thoſe great Whig Peers were admitted. The Seals were given to Mr. Harley, and at the ſame time Mr. St. John was made Secretary at War. The key of Chamberlain alſo was at this period taken from Lord Jerſey, and transferred to the Earl of Kent. The proceedings of the Convocation happily remained too inſignificant for attention. The Lower Houſe ſent up a repreſentation to the Biſhops, enumerating ſome abuſes in eccleſiaſtical diſcipline and the Conſiſtorial Courts; but no notice was taken in it of pluralities, non-reſidence, and the flagrant and ſcandalous neglect of Cures.

Memorial of Count Wrattiſlau.

In the month of January 1704, Count Wrattiſlau, the Imperial Ambaſſador,

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baſſador, preſented a Memorial to the Britiſh Court, in which he repreſented the alarming and dangerous ſituation to which the Emperor and the Empire were reduced in conſequence of the rapid ſucceſs of the French arms in Germany, and the defection of the Elector of Bavaria, who had entered into a ſtrict confederacy with France; had joined the armies of that Monarchy with all his forces; had ſeized the cities Augſburg, Ulm, and Paſſau, and threatened to attack even the Imperial capital of Vienna itſelf. The Emperor therefore implored the aid and protection of the Queen and People of ENGLAND to ſave the ROMAN EMPIRE from impending ruin.

Campaign in Germany, &c.

This application, ſo glorious to the Engliſh Nation, was not made in vain. The Duke of Marlborough received orders from the Queen to concert with the States the moſt eligible means of accompliſhing this great object. On his arrival at the Hague, he repreſented to their High Mightineſſes the neceſſity of making a powerful effort for the relief of the Empire; and propoſed, that, as the frontiers of Holland were now perfectly ſecure, he ſhould be permitted to march with the grand Confederate army to the banks of the Moſelle, there to fix the ſeat of the war. And as the French Court would, in conſequence of this diverſion, be led to entertain ſerious apprehenſions for the ſafety of their own territories, they would be compelled to deſiſt from any farther proſecution of their vaſt and ambitious projects in Germany. Under this veil did that great Commander conceal his real deſign, which he communicated only to the Penſionary Heinſius, and two or three other leading perſons, whoſe influence might obtain a ſanction to the meaſure whenever a public avowal of it ſhould be deemed neceſſary. The conſent of the States being with ſome difficulty procured, and the campaign at length opened, the propoſed march to the Moſelle accordingly took place. Marſhal Tallard, who commanded the French army, apprehending Traerbach to be in danger, and that the Duke's intentions were to penetrate into France on that ſide, took no ſteps to obſtruct his Grace's farther progreſs to the Eaſt. To the amazement, however, not only of the French General, to whom the Duke's movements were wholly

wholly incomprehenſible, but of all Europe, whoſe attention was now fixed on this intereſting ſcene, the Allied Army paſſed the Rhine May 26th, and in a few days after the Maine and the Necker. On his arrival at Ladenburg, June 3d, he thought proper to throw off the maſk; and he wrote from thence a letter to the States, acquainting their High Mightineſſes "that he had received orders from his Sovereign the Queen of England, to adopt the moſt vigorous meaſures to deliver the Empire from the oppreſſion of France—that for this purpoſe he was proceeding on his march to the Danube; and he hoped their High Mightineſſes would not heſitate to allow their troops to ſhare in the glory of this enterpriſe." The States, finding it impracticable to recede, thought it adviſable to comply with a good grace, and immediately diſpatched a courier to inform the Duke, "that his deſign met with their unanimous approbation—that they entruſted their troops entirely to his diſpoſal, placing the moſt perfect reliance on his Grace's ſkill, experience and diſcretion." This difficulty being thus happily ſurmounted, the Duke proceeded on his expedition: and at Mildenheim he had an interview with Prince Eugene, in which theſe two conſummate Generals agreed upon their future plan of operations. On the 1ſt of July, the Duke, being previouſly joined by the Imperial army under the Prince of Baden, came in ſight of the lines of Schellenburg, in which the flower of the Bavarian troops lay ſtrongly entrenched, near the town of Donavert, ſituated on the banks of the Danube. Early the next morning his Grace reſolved on the attack; and after a very gallant reſiſtance the lines were forced with great ſlaughter, and Donavert immediately ſurrendered at diſcretion.

Battle of Bleinheim.

But this ſucceſs, though brilliant, was loſt in the ſplendor of the ſubſequent victory. The Elector of Bavaria obſtinately refuſing to liſten to terms of accommodation, and being at length joined by M. Tallard, who had with great danger and difficulty traverſed the immenſe foreſts of Suabia with a view to his relief; it was reſolved by the Duke of Marlborough and Prince Eugene—the Prince of Baden being engaged in the ſiege of Ingoldſtadt—to engage (Auguſt 13) the combined armies

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of French and Bavarians, then poſted near the village of BLEINHEIM, a name ever memorable in the annals of Britiſh and of Gallic hiſtory. The enemy were very advantageouſly encamped on a riſing ground. Their right flank was covered by the Danube and the village of Bleinheim, into which the Marechal had thrown a great body of his beſt troops: their left wing, commanded by M. Marſin and the Elector, in perſon, was protected by the village of Lutzingen and the adjoining woods; and they had in front of the camp a rivulet, whoſe banks were ſteep and the bottom marſhy. It being determined that the Duke of Marlborough ſhould command the attack againſt Marſhal Tallard, about noon the left wing of the Allied Army paſſed the rivulet without moleſtation, and drew up in order of battle on the other ſide. So unaccountably ſupine, or inexcuſably preſumptuous, were the French Commanders on this occaſion, that they ſuffered even the ſecond line of cavalry to form without deſcending from the heights of which they were in poſſeſſion, into the meadows, which occupied the interval between the camp and the rivulet. On being informed that the Allies were throwing bridges over different parts of the ſtream, M. Tallard diſdainfully replied, "If they have not pontoons enough, I will lend them ſome." The Allies now aſcending the hill in a firm compacted body, the enemy advanced with great ſpirit and reſolution, and a furious and bloody conteſt enſued. The French at length giving way on all ſides, M. Tallard made an effort to gain the bridge thrown over the Danube, between Bleinheim and Hochſtedt: but being cloſely purſued, vaſt numbers were either killed or forced into the river, and the Marechal himſelf was made a priſoner. The troops incloſed in the village of Bleinheim, being now left deſtitute of ſupport, were obliged to ſurrender at diſcretion. On the right, where Prince Eugene commanded, though the ſucceſs was not ſo deciſive, the Elector and M. Marſin were compelled, after a ſevere conflict, to retreat in confuſion, and with very great loſs; and, upon the whole, this was one of the moſt complete and important victories ever gained. The French force in Germany was in effect annihilated. Excluſive of the prodigious carnage during the heat of the action, ſeventy entire ſquadrons and battalions were either

either captured at Bleinheim or drowned in the Danube; and the ſhattered remains of their army, after the loſs of 40,000 veteran troops, were utterly incapable of making head againſt the victors. This day entirely changed the aſpect of affairs in Europe. France was no longer formidable. After her long ſucceſſion of triumphs, ſhe now experienced a fatal and ſudden reverſe of fortune, by which ſhe was overwhelmed with amazement and conſternation.

The danger and difficulty of this attack, on a ſuperior army thus advantageouſly poſted, was repreſented to the Duke in ſtrong colors by ſeveral of the General Officers. But he told them, "he had weighed theſe objections in his mind, and he foreſaw that inaction would be no leſs fatal than defeat—the Empire was not to be ſaved without effort, and the attempt, however hazardous, was neceſſary." It appears that this great commander, perceiving the criſis to which matters had now arrived, knowing the fate of Europe to be depending, and inflamed with that enthuſiaſtic love and ambition of glory which conſtitute the hero, had determined to conquer or to die. On the eve of the battle he had, agreeably to that regard to religion which was a remarkable *trait* in his general character, devoted himſelf to the Almighty in the preſence of his Chaplain, and received the holy ſacrament; and in the morning he was obſerved to be inſpired with an extraordinary cheerfulneſs and alacrity, which diffuſed itſelf over the whole Confederate Army, who marched as if in confidence of victory. The moſt ſingular part of this buſineſs was the unconditional ſurrender of the forty battalions and ſquadrons poſted at Bleinheim, and commanded by M. Clerambault, an officer of great reputed ſkill and courage. Marechal Villars, in a letter written by him to his friend the Abbé de St. Pierre, ſpeaks not merely of this ſurrender itſelf in terms of the higheſt indignation, but even of the compaſſion expreſſed for the unfortunate captives. "Theſe ſentiments," ſays he, "are very little like thoſe of the antient Romans after the battle of Cannæ. What could they do better? ſay ſome ſilly people.—It is upon ſuch occaſions as this that one muſt anſwer with old Horatius in Corneille, '*Qu'il mourût.*'—The Spaniſh infantry at Rocroy choſe rather to periſh than to beg quarter."

BOOK V. 1704. The encomiums beſtowed on the Duke of Marlborough in conſequence of this victory, the greateſt and moſt deciſive which had been fought for ſeveral ages in Europe, were unbounded and univerſal; and no one was more eager to do juſtice to his unrivalled merit than Prince Eugene, who pretended only to the ſecond honors of the day. In the letter of congratulation written to the Duke by the States General, their High Mightineſſes declare "that they never durſt carry their hopes ſo far as to think of ſo glorious and complete a victory:" and in their ſubſequent epiſtle to the Queen, they acknowledge "that it was the bravery of the Engliſh troops that principally contributed to the victory—and that the Duke of Marlborough had reaped laurels that could never fade." The Emperor, who, previous to this glorious event, was reduced to a ſtate of extreme peril, preſſed by the Bavarian forces on the one ſide and the Hungarian inſurgents on the other, wrote to the Duke a letter filled with the warmeſt acknowledgments. After mentioning to his Grace the honors ſo deſervedly conferred upon him by his admiſſion into the College of Princes of the Holy Roman Empire, his Imperial Majeſty, to tranſcribe his own words, declares this to be done, "that it may more and more appear to all the world how much, as I freely own it, I and all the Empire owe to the moſt Serene Queen of Great Britain, for having ſent her powerful aſſiſtance as far as Augſburg and Bavaria itſelf under your conduct, when my own affairs and thoſe of the Empire were ſo much ſhaken and diſordered by the perfidious defection of the Bavarians—Paſt ages having never ſeen the like victory obtained over the French, it may reaſonably be hoped that the full and perfect liberty of the Chriſtain World ſhall be reſcued from the power of France, which was ſo imminently impending over it."

The Elector of Bavaria, at the head of a ſmall body of troops, effected a retreat, or rather made his eſcape, and joined Marechal Villeroi in Flanders, leaving the Electorate at the mercy of the conquerors, who, after reducing Ingoldſtadt and the other fortreſſes of the Duchy, glorioufly concluded the campaign with the ſieges of Landau, Triers, and Traerbach. And in the month of December (1704) the Duke of Marlborough

rough returned in triumph to England, where he was received with unbounded tranſports of joy.

The campaign in Brabant and Flanders, where Veldt Marechal Auverquerque was oppoſed with great advantage and reputation to M. Villeroi, being wholly defenſive, affords no occurrence meriting hiſtoric notice.

The Engliſh and Dutch auxiliaries arrived in Portugal early in the ſpring of 1704; but the Court of Liſbon had made no preparations for taking the field: and the Duke of Schomberg, General of the Britiſh troops, ſaw them with aſtoniſhment and indignation diſtributed amongſt the frontier garriſons. The Duke of Berwick, who commanded for Philip V, entering Portugal, reduced with little difficulty the towns of Sogura, Salva-terra, and Cebreros. The Marquis de Villa-darias, at the head of another army, met with equal ſucceſs. Paſſing the Tagus, the Duke of Berwick, now joined by the King of Spain in perſon, inveſted Portalegre, and afterwards Caſtel Davide, both of which ſurrendered at diſcretion. The intenſe heat of the weather, and not the reſiſtance of the Portugueſe, at length compelled the Spaniſh General to ſend his wearied troops into quarters of refreſhment. The Duke of Schomberg was now ſuperſeded in the command by the Earl of Galway, who carried with him large reinforcements; but no enterpriſe of moment diſtinguiſhed the latter period of the campaign.

Naval operations.

The ſucceſs of the Engliſh by ſea during the ſummer was upon the whole conſiderable. Sir George Rooke, who commanded in the Mediterranean, appearing before Barcelona, ſent a flag of truce with a letter from the Prince of Heſſe-Darmſtadt, formerly Viceroy of Catalonia, who was on board the fleet, to the Governor Don Franciſco de Velaſco, ſummoning him to ſurrender the town to his lawful Sovereign King Charles III. But though the city was known to be well affected to the Auſtrian intereſts, the Governor returned an haughty refuſal, and ſecured divers of the principal citizens whom he ſuſpected. On his return

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1704. Gibraltar taken.

turn to Liſbon, Sir George Rooke was joined by Sir Cloudeſley Shovel; and in a council of war it was reſolved to make a ſudden attempt upon Gibraltar. After a furious cannonade, in which 15,000 ſhot were in a few hours fired into the town, the boats of the fleet were armed, and landed upon the peninſula; and a redoubt half way between the mole and the town being taken by ſtorm, the Governor thought proper to capitulate. No ſooner had this unwelcome intelligence reached Madrid, than the Marquis de Villa-darias was detached with a large body of troops to retake this important place.

Engagement off Malaga.

After furniſhing the fortreſs with the neceſſary ſupplies for a vigorous defence, Sir George Rooke, ſailing again into the Mediterranean in conjunction with the Dutch Admiral Callemberg, met off Malaga, Auguſt the 13th, the French fleet under the Count de Toulouſe, conſiſting of about 50 ſhips of the line of battle. A fierce and bloody encounter enſued, in which, however, no veſſel on either ſide was captured or ſunk: but the French ſuffered much in the action, and bore away in the night for Toulon, ſo diſabled as to render it impoſſible to put to ſea again for the ſeaſon. Sir George Rooke ſoon after this engagement returned to England, leaving Sir John Leake with a ſtrong ſquadron to defend the coaſts of Portugal. The Spaniards had drawn together all the forces they had in Andaluſia and Eſtremadura, for the purpoſe of forming the ſiege of Gibraltar; which made a ſeaſonable diverſion in favor of Portugal. All the efforts of the Count de Villa-darias being found ineffectual, the Mar. de Teſſé was ſent from France to ſuperſede him in the command, but with no better ſucceſs. The Prince of Heſſe defended the place with undaunted valor; and after a cloſe inveſtment by ſea and land for ſix months, the ſiege was finally raiſed in conſequence of the entire defeat of the French ſquadron, cruiſing off the bay under M. de Pointis, by the Engliſh Admiral Sir John Leake.

In Italy, the Duke of Savoy had this campaign experienced nothing but diſaſters. The ſtrong places of Vercelli, Ivrea and Verue ſucceſſively fell into the hands of the Duc de Vendome, after a vigorous and obſtinate

obſtinate reſiſtance. The Duke complained much of the Emperor's failing to make good his promiſes; but he ſaid, "though he was abandoned by his allies, he would not abandon himſelf." The fact was, that the Imperial arms were ſtill occupied in an inglorious and pernicious conteſt with the malcontents of Hungary, headed by the gallant Prince Ragotſki. Could the Emperor have been induced to offer theſe oppreſſed and exaſperated people reaſonable terms of accommodation after his ſucceſſes in Bavaria, the diſorders in Hungary would have been eaſily and ſpeedily appeaſed: but the Court of Vienna aimed at nothing leſs than unconditional ſubmiſſion; which the Hungarians well knew was only another term for ſlaughter, confiſcation and ruin. Louis XIV. had alſo for ſome years paſt been engaged with the Proteſtants of the Cevennes in a war almoſt equally barbarous and impolitic; and one of the ableſt of his Generals, M. de Villars, was this ſummer employed, much to the advantage of the Allies, in their reduction, which, after the country was converted into a deſert, was at length effected on terms which, had they been faithfully adhered to, would have left them at liberty to worſhip GOD according to the dictates of their own conſciences.

Affairs of Scotland.

It is now once more neceſſary to revert to the domeſtic affairs of Great Britain, and more particularly to thoſe of Scotland, the political ſituation of that kingdom being at the preſent period peculiarly critical and intereſting. After the receſs of Parliament in the ſummer of 1702, various important changes took place favorable to the views of the party which then governed with abſolute ſway in England. The Earls of Marchmont, Melville, Selkirk, Hyndford and Leven were diſplaced, and the Earl of Seafield conſtituted Chancellor, the Marquis of Annandale Preſident, the Marquis of Athol Privy Seal, Viſcount Tarbat Secretary of State: and the Parliament being diſſolved, and writs iſſued in the ſpring of 1703, the Duke of Queenſberry was appointed Lord Commiſſioner. A general proclamation of indemnity having been iſſued, on the 6th of March 1703, for all treaſons committed previous to the month of April laſt; great numbers of Jacobites were encouraged to return to Scotland from St. Germaine's and other parts of France, by which means

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means a conſiderable acceſſion of ſtrength accrued to the malcontent faction, which conſiſted, nevertheleſs, of ſuch heterogeneous materials as to render it impoſſible firmly to unite in any conſiſtent plan of oppoſition. The Parliament met May the 6th, 1703; and the Lord Commiſſioner read from the throne the Queen's Letter, recommending liberality in their ſupplies, prudence and unanimity in their reſolves. After which, the Duke of Hamilton offered the draught of a Bill, recogniſing her Majeſty's right and title to the Imperial Crown of Scotland; to which Sir James Stuart the Lord Advocate offered an additional clauſe, "that it ſhould be treaſon to queſtion her Majeſty's right and title to the Crown, or her exerciſe of the Government, from her actual entry to the ſame." This was plainly intended to operate as an authoritative juſtification of thoſe who had been inſtrumental in carrying into effect the bold and deciſive meaſures of the laſt ſeſſion; and it was urged by the Hamilton party as the higheſt indignity to the Queen to expoſe her exerciſe of the Royal power to the leaſt ſuſpicion by ſuch a clauſe, which after all would afford no ſecurity to the *actings of her Miniſtry*. But the Whigs diſmiſſed from office being deeply intereſted in the buſineſs, and joining the Court upon this occaſion, it was received by a great majority. When the Act of Recognition had paſſed, the Earl of Hume, a late convert to the Court, who had qualified only ſince the death of the late King, roſe, and moved the Houſe for a ſupply; on which the Marquis of Tweeddale ſaid, "that he had an overture to make, which he hoped would, by reaſon of its importance, be preferred to all other buſineſs.—This he declared to be for a reſolve of Parliament, to proceed in the firſt place to make ſuch conditions and regulations, to take place after the deceaſe of her Majeſty, as ſhould be neceſſary for the preſervation of the national religion and liberty." After a long and very eager debate, it was ultimately determined, that the overture ſhould have precedence of the motion. Whereupon the Marquis of Athol offered "an Act for the SECURITY of the KINGDOM in caſe of her Majeſty's deceaſe." After the Houſe had made ſome progreſs in conſidering the clauſes of this Act, it was ſuggeſted to be neceſſary to reſcind the ſecond Act of the third Parliament of King Charles II. eſtabliſhing the ſucceſ-

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ſion of the Crown in the next blood in the royal line, of whatſoever religion—for that, as the law of Scotland then ſtood, the right of blood, paſſing over the claims of the Court of St. Germaine's, would inhere in the Houſe of Savoy: and the Lord Advocate preſented a Bill ready drawn for reſcinding the ſaid Act accordingly. But it was urged that, all Popiſh ſucceſſors being excluded, they would by this repeal virtually decree the ſucceſſion to the Houſe of Hanover: and it was ordered to lie on the table. The Act of Security at length paſſed the Houſe Auguſt 13th (1703), notwithſtanding all the oppoſition of the High Commiſſioner and the party who adhered to him in this exigency, by a majority of 59 voices. This famous Act contained in ſubſtance, that on the 20th day after the Queen's deceaſe the Eſtates of Parliament ſhould meet; and that in the intermediate time the Executive Government ſhould devolve on thoſe members who ſhould be reſident in Edinburgh —that no foreigner or *Engliſhman* ſhould be capable of ſitting as a member of the Aſſembly of Eſtates; that the nomination of a ſucceſſor ſhould be veſted in the Aſſembly or Convention—but that the ſucceſſor ſo named ſhould not be the ſucceſſor to the Crown of England, unleſs ſuch conditions of Government ſhould be previouſly ſettled, as ſhould ſecure the honor of the Kingdom, the independence of the Crown, the freedom, frequency and power of Parliament, and the religion, liberty and trade of the Scottiſh Nation, from *Engliſh* or foreign influence.

After ſeveral weeks of anxious expectation and ſuſpenſe, the Lord Commiſſioner informed the Houſe, "that he was empowered to give the royal aſſent to all the Acts paſſed during the ſeſſion EXCEPT the ACT of SECURITY. The glowing embers of jealouſy and diſcontent now at once burſt into that flame of paſſion which in all popular aſſemblies, at times, ſeems to reduce to one common level the wiſdom of the wiſe and the folly of the fooliſh. Even previous to the refuſal of the Commiſſioner, the temper of the Houſe was ſufficiently apparent. The Earl of Marchmont, in his great zeal for the Proteſtant intereſt, having officiouſly introduced a Bill for ſettling the ſucceſſion; no ſooner was the name of the Princeſs Sophia mentioned than the Houſe was in an uproar.

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Some were for calling Lord Marchmont to the bar; others, for ſending him priſoner to the caſtle of Edinburgh: the overture was rejected without a vote, and the propoſition itſelf ordered to be expunged from the Minutes of Parliament. No ſooner was it announced that the royal aſſent would not be given to the Act of Security, than the Members broke out into the moſt violent invectives—branding the Servants of the Crown as the ſlaves of the Engliſh Miniſtry, and the calumniators of their country. Some even denied that the right of a negative was inherent in the Crown. A vote paſſed declaring void the Commiſſion for treating of an Union with England. They perſiſted in their refuſal to grant any ſupply; and the Commiſſioner urging the defenceleſs ſtate of the Kingdom, and the neceſſity of ſupplies for *ſecuring* the ſame, he was reminded of the *ſecurity* which had been denied to the Nation; and the Earl of Roxburgh declared without reſerve, "that if there was no other way of ſupporting the natural and undeniable privilege of Parliament, the friends of their country were reſolved to demand juſtice with their ſwords in their hands." And the Lord Commiſſioner, apprehenſive of the ſafety of his own perſon, became impatient to put an end to this dangerous and turbulent ſeſſion; in the varied and lengthened courſe of which it is remarkable, that, notwithſtanding the Tory complexion of the Adminiſtration, very great conceſſions were made to the Whigs, or Preſbyterian party, in Parliament, in order to enſure their ſupport.

On the 1ſt of June, an "Act for toleration to all Proteſtants in the exerciſe of religious worſhip," preſented by the Earl of Strathmore, being read, a ſtrong repreſentation was offered againſt it in the name and at the appointment of the General Aſſembly, concluding in theſe words,—"that they were perſuaded, that to enact a Toleration for thoſe of the Epiſcopal way, WHICH GOD in his INFINITE MERCY AVERT! would be to eſtabliſh iniquity by a law, and would bring upon the promoters thereof, and their families, the dreadful guilt of all thoſe ſins and pernicious effects that might enſue thereupon." The Epiſcopalians, whether connected with or in oppoſition to the Court, were equally ſolicitous at this criſis to

avoid

avoid giving any cauſe of offence to the leaders of the Preſbyterians, who could throw the whole weight of their influence into either ſcale, and who were no leſs fearful of oppoſing on this favorite point the voice of the General Aſſembly. In conſequence, therefore, of this miſerable and deteſtable bigotry—the perpetual characteriſtic of an aſſembly of prieſts, the Bill was loſt—the Court poſſeſſing too much diſcretion in the midſt of its political difficulties to involve itſelf in a theological quarrel. But the Preſbyterians were not content with this odious victory over humanity and juſtice—for an Act ſubſequently paſſed, "for preſerving the true Reformed Proteſtant Religion, and confirming Preſbyterian Church-government and dicipline by Kirk-ſeſſions, Preſbyteries, Provincial Synods, and General Aſſemblies, as agreeable to the word of GOD, and the only government of Chriſt's Church within this Kingdom." And in another Act introduced by the Duke of Argyle, ratifying the Acts of the former Parliament, it was declared high treaſon, by writing or ſpeaking, or any other open act or deed, to endeavor to alter or innovate the claim of right or any article thereof—and conſequently that which related to the eſtabliſhment of Preſbyterian Government in Scotland. It was ſtrongly objected, that the import of ſuch a general and peremptory clauſe would be of moſt dangerous conſequence; that it was calculated to enſnare the ſubject, and bind up the wiſdom of the Government and Nation itſelf in all ſucceeding ages from making ſuch alterations and reformations as in courſe of time, and by variation of circumſtances, ſhould be judged neceſſary. Moore of Stenywood ſaid "that the Shire of Aberdeen, which he had the honor to repreſent, was of the Epiſcopal perſuaſion—and he deſired to know whether, in caſe this Act ſhould paſs, his countrymen could addreſs the Sovereign or Parliament for a rectification of the preſent Eſtabliſhment, without incurring the penalties of high treaſon." To this Sir William Hamilton of Whitlow anſwered, "that the Act in contemplation did not indeed preclude addreſſing for a toleration; but he acknowledged, if it paſſed into a law, a declaration that the Preſbyterian Government was wrong, and that Epiſcopacy ought to be reſtored, would amount to high treaſon." The queſtion for approving was at length carried in the affirmative, though ſixty members voted againſt it; amongſt whom,

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it is recorded to their honor, were ſeveral Preſbyterians: whilſt on the other hand the Miniſters and their dependents ſupported the meaſure—the Lords Athol and Tarbat excepted, who diſdained ſo diſgraceful a condeſcenſion.

Order of the Thiſtle revived.

After a long and tumultuous ſeſſion, the Lord Commiſſioner, full of chagrin and vexation, adjourned the Parliament to the 12th of October (1703). During the receſs, the Marquis of Athol was created a Duke, and Viſcount Tarbat Earl of Cromartie: with a view to prevent their total ſeceſſion from the Court, which thus paid an involuntary homage to their firmneſs and ſincerity. At this period the Queen revived the antient Order of the Thiſtle, which King William, regarding ſuch diſtinctions with indifference or contempt, had ſuffered to fall into diſuſe; and the vanity of the Scottiſh Peerage was gratified in a mode which imagination may eaſily elevate to conſequence, and which is at leaſt unexpenſive and innocent.

After various prorogations, the Parliament of Scotland was again convened at Edinburgh July the 6th 1704; the Marquis of Tweeddale being appointed High Commiſſioner in the room of the Duke of Queenſberry, whoſe ambiguous policy had proved ſo unſucceſsful. The Royal Letter was framed in terms of remarkable temper and ability. "The main thing," ſaid her Majeſty, "that we recommend to you, and with all the earneſtneſs we are capable of, is the ſettling of the ſucceſſion in the Proteſtant line, as that which is abſolutely neceſſary for your own peace and happineſs, as well as our quiet and ſecurity in all our dominions, and for the reputation of our affairs abroad, and conſequently for the ſtrengthening the Proteſtant intereſt every where. This has been our fixed judgment and reſolution ever ſince we came to the Crown; and though hitherto opportunities have not anſwered our intentions, matters are now come to that paſs, by the undoubted evidence of the deſigns of our enemies, that a longer delay of ſettling the ſucceſſion in the Proteſtant line may have very dangerous conſequences: and a diſappointment of it would infallibly make that our Kingdom the ſeat of war, and expoſe it to devaſtation and ruin.

ruin. As to the terms and conditions of Government, with regard to the ſucceſſor, we have empowered our Commiſſioner to give the royal aſſent to whatever can in reaſon be demanded, and is in our power to grant, for ſecuring the ſovereignty and liberties of that our antient Kingdom."

No ſooner had the ſeſſion commenced, than the Duke of Hamilton, leader of the Jacobite party, preſented a reſolve, "that this Parliament would not proceed to name a ſucceſſor to the Crown until the Scots had a previous treaty with England in relation to commerce and other concerns." This was ſupported by all the eloquence of the celebrated Fletcher of Salton, head of the Republicans, who repreſented with great ardor and animation the hardſhips and miſeries which the Scots had ſuffered ſince the union of the two Crowns; and the impoſſibility of meliorating their condition without adopting meaſures to diſſolve a connection which had proved ſo fatal. The reſolution of the Duke of Hamilton, modified and combined with a motion of the Earl of Rothes, "that the Parliament would immediately proceed to make ſuch limitations and conditions as might be judged proper for rectifying the Conſtitution, and vindicating the ſovereignty and independency of the Nation," was then carried by a great majority. The former Act of Security was immediately and unanimouſly revived; and a ſupply granted for two months' ceſs only, at the end of which term it was well underſtood that the Act muſt receive the royal aſſent, or the army be diſbanded for want of pay. The former of theſe unpleaſant alternatives being regarded as the leaſt of the two evils, a letter was written to the Queen, ſigned by all the Miniſters in Scotland, ſtating and balancing the arguments on both ſides, and concluding with their humble advice to paſs the Bill. Thus was the Lord Treaſurer Godolphin, on whoſe counſel the Queen relied, reduced to a moſt perplexing dilemma. He ſaw that the ill conſequences of breaking the army and laying the Kingdom open to an invaſion, would be imputed to him, if, in contradiction to the opinion of the Scottiſh Miniſters, he ſhould adviſe the Queen to reject the Bill. And he well knew the obloquy and reproach he ſhould incur in England by adviſing to paſs a Bill of a complexion ſo dangerous and hoſtile. Upon the whole, he thought

Act of. Security paſſed.

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thought it ſafeſt for the Queen to conform to the counſels of the Scottiſh Miniſtry; and orders were accordingly ſent to the Marquis of Tweeddale, agreeably to the dignified and gracious mode of ſignifying the royal aſſent in that Kingdom, to touch the Act with the ſceptre. The ſupplies were immediately granted, and the Lord Commiſſioner haſtened to prorogue the Parliament, Auguſt the 27th 1704. After the receſs, the Marquis of Tweeddale was advanced to the Chancellorſhip; the Earl of Rothes appointed Lord Privy Seal; the Earl of Selkirk brought into the Treaſury; and various other alterations made, conſonant to the aſcendency which the Whig intereſt began at this time to acquire in England*.

Seſſion of Parliament.

The Parliament of England being convened October the 29th 1704, the Queen expreſſed her hope, "that they were come together, diſpoſed to do every thing that was neceſſary for the effectual proſecution of the war." The adverſe diſpoſition of the two Houſes appeared conſpicuous in the different ſtrain of their Addreſſes; the Lords paſſing invidiouſly over the naval ſucceſſes of Sir George Rooke, the hero of the Tories, and the Commons affecting to place the ſucceſſes in the Mediterranean, and the indeciſive battle off Malaga, upon a level with the glorious exploits of Schellenburg and Bleinheim.

Occaſional Conformity Bill a third time rejected.

Notwithſtanding all the endeavors of the Miniſters to engage the High Church party to reſtrain their zeal, Mr. Bromley in a ſhort time moved the Houſe to bring in a Bill againſt Occaſional Conformity. The Courtiers now declared openly againſt the meaſure, and Mr. Boyle, Chancellor of the Exchequer, ſpoke ſtrenuouſly in oppoſition to it: the motion was nevertheleſs carried in the affirmative, and a Bill introduced, framed on principles and enforced by penalties as low and moderate as poſſible, in order to give it a chance of ſucceſs. But the vigorous ſtruggle made againſt it even in the Houſe of Commons, ſufficiently indicated the hopeleſſneſs of its paſſing through the Lords. It was therefore determined, by the patrons of the meaſure, to annex it by way of *tack* to the Land-tax Bill. And Mr. Bromley urged, "that the practice of Occaſional

* Tindal, Burnet, Lockhart, Macpherſon, Dalrymple, &c.

Conformity

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Conformity was ſuch a ſcandalous hypocriſy as could be excuſed upon no pretence whatever—that the Church ſeemed in as much danger from the Diſſenters at this time, as it was from the Papiſts when the Teſt Act paſſed—that the Bill in queſtion being ſo neceſſary, and having been twice refuſed in the Houſe of Lords, the only way to have it paſs, was to tack it to a Money Bill. This," he ſaid, "was an antient practice, and highly reaſonable; for by this expedient, while grievous taxes were laid on the ſubject for the ſupport of the Crown, the Crown in return was neceſſitated to paſs ſuch laws as were for the benefit of the people." A violent debate enſued, and both parties exerted their utmoſt ſtrength. Thoſe who oppoſed the *tacking* maintained, that ſuch a practice led to a change of the whole Conſtitution, and was in effect converting the Government from a mixed Monarchy into a pure Democracy—denying both to the Lords and to the Crown the free uſe of their negative in the Legiſlature. Upon a diviſion, the *tack* was rejected by a majority of 251 againſt 134 voices. The Bill was therefore in its ſeparate form ſent up to the Lords December the 14th 1704, and the next day read for the firſt time. On the queſtion for the ſecond reading, the Queen being preſent, the old ground was again traverſed, and it was at length carried in the negative by 71 to 50 voices, including proxies.

Alarm taken at the Scottiſh Act of Security.

The attention of the Houſe was ſoon transferred to a ſubject of much higher importance—the tranſactions of the Scottiſh Parliament during their laſt ſeſſion. And the diſcontented party, both Whigs and Tories, were loud in their exclamations againſt the Engliſh Miniſtry, by whoſe criminal ſupineneſs, or perhaps connivance, ſuch fatal meaſures had been ſuffered to paſs. Lord Haverſham, a Whig out of place and out of humor, obſerved, "that, although the ſucceſſion to the Crown in the Proteſtant line was the main thing recommended in the Royal Letter, yet it was ſo poſtponed and baffled that it came to nothing, partly from the weakneſs of the Miniſters, and partly from a received opinion that the ſucceſſion itſelf was never ſincerely and cordially intended. At the opening of the ſeſſion, the Secretary of State had made extraordinary diſtinctions between the ſecret and revealed will of the Sovereign: and upon

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on the 4th *ſederunt*, a motion was made for a Bill of Excluſion—virtually ſuch, though it bore the title of an Act of Security. Is it poſſible, that thoſe who adviſed the paſſing of ſuch a Bill could ever be really friends to the Proteſtant Settlement? Who can anſwer for the conſequences of ſuch a ſtate of things? It is an apophthegm of Lord Bacon, 'Let men beware how they neglect or ſuffer matter of trouble to be prepared, for no man can forbid the ſparks that may ſet all on fire." Lord Wharton practiſed on the political terrors of Godolphin, by openly boaſting, "that, ſince the Act of Security paſſed, he had the Treaſurer's head in a bag." The Earls of Nottingham and Rocheſter ſeconded with great energy the cenſures of Lord Haverſham. It being ſaid, that the Act of Security was granted to prevent the danger of a rebellion; a clauſe was pointed out in the Act, by which the Scottiſh Peers and Chieftains were authoriſed to arm and diſcipline their vaſſals; and it was remarked, that, if the Scots had rebelled before the paſſing of this Act, they would have rebelled without the means of ſupporting their rebellion; but now they were furniſhed both with incitement and ſanction for reſiſtance. The Houſe appeared much agitated and inflamed; and though Lord Godolphin's friends were too numerous to ſuffer a direct vote of cenſure to paſs, they agreed to a variety of reſolutions, which ſufficiently indicated the general reſentment and apprehenſion. "Firſt, that the Queen be enabled by Act of Parliament to nominate Commiſſioners, the former Commiſſion having expired, to treat concerning an union with Scotland. 2dly, That the natives of Scotland ſhould not enjoy the privileges of Engliſhmen, until an union be effected, or the ſucceſſion ſettled as in England. 3dly, That the bringing of cattle from Scotland into England be prevented. 4thly, That the Lord High Admiral be required to iſſue orders for capturing ſuch Scottiſh veſſels as ſhall be found trading to the ports of France, or any other of her Majeſty's enemies. 5thly, That the exportation of Engliſh wool into Scotland be prohibited." Their Lordſhips alſo preſented an Addreſs to the Queen, deſiring that ſpeedy and effectual orders might be given for putting the town of Newcaſtle in a ſtate of defence, and likewiſe for ſecuring the port of Tinmouth, and for repairing the fortifications of Carliſle and Hull. They alſo beſought her Majeſty to cauſe the militia of the

the four northern counties to be diſciplined and provided with arms and ammunition, and a competent number of regular troops to be ſtationed upon the borders. To all theſe particulars the Queen expreſſed her ready aſſent; and the courſe of things ſeemed rapidly tending to open hoſtility and war. A Bill founded upon the reſolutions of the Lords being framed, was in a ſhort time ſent down to the Commons, who, though not leſs enraged, ſcrupled to paſs it, under the faſtidious notion of its being a Money Bill, in conſequence of the pecuniary penalties engraſted in it; but they forthwith framed a Bill of their own, nearly ſimilar, which they tranſmitted to the Lords:—the chief amendments were the prohibition of Scottiſh linen into England or Ireland—and the permiſſion to the Proteſtant freeholders of the ſix northern counties to furniſh themſelves with arms. The Lords paſſed the Bill without delay or difficulty, and on the following Chriſtmas-day 1705 it was to take effect. Lord Godolphin now found himſelf in a very critical ſituation: the Act of Security was to him an act of peril and of danger. On the firſt paſſing of it, Lord Stair went with all expedition to London, and told the Lord Treaſurer that he was on the brink of a precipice, and the two countries on that of a civil war. This he now found alarmingly verified; and from this moment, forgetful of his Jacobitical principles, he determined to exert himſelf vigorouſly and effectually to accompliſh the great work of a union of the Britiſh Kingdoms.

In conſequence of an Addreſs of the Houſe of Commons, beſeeching the Queen to conſider of ſome proper means to perpetuate the memory of the great ſervices performed by the Duke of Marlborough; ſhe declared her reſolution to beſtow upon his Grace the honor of Woodſtock, with the parks and manors appertaining thereto, where a magnificent palace was erected at the public expence, to which the name of Bleinheim Houſe was given, in commemoration of the glorious victory gained at that place.

During this ſeſſion an enquiry took place in the Houſe of Lords relative to the miſmanagements in the Navy and Admiralty departments;

 which

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which were chiefly under the direction of Sir George Rooke, an officer of undoubted ſkill and courage, but ſtrongly attached to the Tories, upon which account the Houſe of Commons had with a too partial indulgence paſſed over all neglects. Twenty-two veſſels were employed in cruiſing with ſo little ſucceſs, that three ſhips, commanded by diligent officers, might have performed more; as was proved by a ſort of numerical calculation. Even treachery was ſuſpected; for a French privateer being captured, inſtructions were found on board, ſo exactly quadrating with the orders iſſued by the Admiralty, as to preclude the ſuppoſition of accidental co-incidence. An elaborate repreſentation was preſented by the Lords to the Queen, on theſe and other heads of miſconduct; and the Whig intereſt having now obtained the aſcendency at Court, Sir George Rooke, whom the voice of faction had raiſed to an invidious rivalſhip with Marlborough, was diſmiſſed from his offices, and Sir Cloudeſley Shovel appointed to the command of the fleet.

Caſe of Aſhby and White.

This Parliament is diſtinguiſhed in the Engliſh annals by the perpetual miſunderſtandings which prevailed between the two Houſes. At the laſt General Election, the vote of one Aſhby, an inhabitant of the borough of Ayleſbury, being rejected by White, the returning officer; he had the ſpirit and reſolution to commence an action at common law againſt White, for illegally depriving him of his franchiſe; and obtained a verdict for damages at the enſuing aſſiſes for the county of Bucks. The Court of Queen's Bench, however, being moved to quaſh all proceeding in this matter, as contrary to the privileges of the Houſe of Commons; the three Puiſne Judges were of opinion, "that the verdict could not be ſuſtained." But that great and upright Magiſtrate, Lord Chief Juſtice Holt, at this time preſiding in the Court, declared in the moſt deciſive terms, "that the verdict was both legal and juſt—that, though the Houſe of Commons poſſeſſed a ſeparate and independent juriſdiction, agreeably to the Conſtitution of Parliament, ſo far as to determine, in caſe of appeal, which of the different candidates were duly elected; yet, their authority did not ſuperſede the common courſe of judicial proceedings in the Courts ſitting at Weſtminſter, which founded their deciſion on the known laws of the land

land and the evidence which came regularly and properly before them; and which neither could nor would take cognizance of the proceedings of the Houſe of Commons, nor of the grounds of their proceedings. Where a legal right exiſted, and ſuch," ſaid this able Magiſtrate, "is the franchiſe of an elector, the law, of which the Courts of Juſtice are the ſole diſpenſers, will protect him in the enjoyment of that right. That the Houſe of Commons were not competent to decide judicially, though they might be occaſionally compelled to exerciſe their diſcretion in caſes of this nature, evidently appeared from their utter inability to grant redreſs, whatever might be the magnitude of the injury ſuſtained. If this exorbitant claim were once eſtabliſhed, the ſubject might be deprived of his deareſt right, by the mere arbitrary will and pleaſure of the Houſe of Commons, the moſt flagrant abuſes of power might be committed with impunity, nay, with applauſe and triumph, by men holding public offices, who were thus placed beyond the reach of the arm of public juſtice; and, by a monſtrous ſoleciſm in legiſlation and juriſprudence, an acknowledged and invaluable right might be groſsly and openly violated, and the injured party remain wholly deſtitute of any legal or regular means of reparation or redreſs." The verdict, notwithſtanding theſe cogent reaſons, was however reverſed: but the cauſe was by writ of error immediately brought before the Houſe of Lords; who, after requiring the opinions of the twelve Judges, and debating the matter at great length and with great ability, determined almoſt unanimouſly to ſuperſede the judgment pronounced in the Queen's Bench, and to affirm the verdict originally given at the County aſſizes.

The Houſe of Commons, enraged at theſe proceedings, declared by a vote of the Houſe, "that Matthew Aſhby having, in contempt of the juriſdiction of that Houſe, commenced and proſecuted an action at common law againſt William White for not receiving his vote at an election for burgeſſes to ſerve in Parliament for the borough of Ayleſbury was guilty of an high breach of the privileges of that Houſe—and that all Attorneys, Solicitors, Counſellors, and Serjeants at law, ſoliciting, proſecuting or pleading in any ſuch cauſe, were guilty of an high breach of the pri-

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vileges of that Houſe." And they ordered theſe reſolutions, ſigned by the Clerk of the Houſe, to be affixed to Weſtminſter-Hall gate. So far, however, was the intrepid Magiſtrate at the head of the Law from being intimidated by this imperious language, that he is ſaid publicly to have declared, "that if any Meſſenger of the Houſe of Commons preſumed to enter that Hall, in order to ſeize the perſon of any Attorney or Pleader by virtue of this warrant, he would immediately commit him to Newgate." The Houſe of Lords, on their part, paſſed votes juſtificatory of their own conduct; copies of which were tranſmitted to all Sheriffs and Borough-Reeves throughout the Kingdom. The Commons, finding the general voice of the People declare ſtrongly in favor of their antagoniſts, ſeemed diſpoſed to let it reſt in its preſent ſtate; and the judgment of the Lords was duly and regularly executed. Upon which five other inhabitants of the borough of Ayleſbury brought their ſeveral actions for damages upon the ſame grounds. This threw the Houſe of Commons into a new ferment; and by their own authority they committed theſe five men to priſon, where they lay three months, without however offering to make any ſubmiſſion. After the Money Bills were paſſed by the Commons, and not till then, a motion being made in the Queen's Bench, in behalf of the priſoners, for a *habeas corpus*, the Puiſne Judges declared themſelves of opinion as before, "that the Court could take no cognizance of the matter." But the Chief Juſtice, "a man inflexible to ill, and obſtinately juſt," maintained that a general warrant of commitment for breach of privilege was of the nature of an execution; and as it appeared upon the face of the warrant itſelf, that the priſoners had been guilty of no legal offence, unleſs to claim the benefit of the law in oppoſition to a vote of the Houſe of Commons was ſuch, it was his opinion that they ought inſtantly to be diſcharged. This opinion, however, not availing in oppoſition to that of the majority of the Bench, the priſoners were remanded; in conſequence of which they moved for a writ of error, to bring the matter before the Lords. As this, agreeably to the forms of law, could only be obtained by petition to the Crown, the Commons preſented an Addreſs to the Queen, humbly requeſting her Majeſty, that the writ of error might not be granted;

and

and they alſo took upon them to affirm, "that in this caſe no writ of error could lie." To this Addreſs the Queen with great moderation and prudence replied, "that ſhe hoped never to give her faithful Commons any juſt ground of complaint; but to obſtruct the courſe of judicial proceedings was a matter of ſuch importance, that ſhe thought it neceſſary to weigh and conſider carefully what it might be proper for her to do." The Commons received this anſwer in ſullen ſilence, and immediately ordered the priſoners to be removed from Newgate into the cuſtody of their Serjeant at Arms, leſt they ſhould be diſcharged in conſequence of the Queen's granting a writ of error. They likewiſe reſolved, that the Lawyers who had pleaded in behalf of the priſoners on return of the *habeas corpus* were guilty of a breach of privilege; and ordered them to be taken into cuſtody. The Lords upon this voted, "that for ſubjects to claim their juſt rights in a courſe of law, was no breach of privilege—that the impriſonment of the men of Ayleſbury was contrary to law—and that the writ of error could not be refuſed, without a violation of MAGNA CHARTA." This was followed by an Addreſs to the Queen, humbly beſeeching her Majeſty to give immediate orders for iſſuing the writ of error. The Judges, moreover, now happily recovering from their terrors, ventured to decide "that a petition for a writ of error was a petition of right, and not of grace." And the Queen was pleaſed in the moſt condeſcending terms to reply to this Addreſs, "that ſhe would certainly have complied with their Lordſhips' requeſt in regard to the writ of error, but that, as it now became neceſſary to put an end to the ſeſſion, ſhe knew it could produce no effect." The Lords, conſidering this as a decided victory, immediately returned their humble thanks to her Majeſty for this inſtance of her Majeſty's regard for the legal and impartial adminiſtration of public juſtice. And the Queen that very day, March the 14th, put an end to the ſeſſion; and on the 5th of April following (1705) the Parliament was diſſolved by proclamation. "It was no ſmall bleſſing," ſays Biſhop Burnet, "to the Queen and to the Nation, that they got well out of ſuch hands." And it muſt indeed be acknowledged, that the violence and malignity manifeſted in their public

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public conduct were productive of much leſs evil than might reaſonably be apprehended.

Intrigues of the Court of St. Germaine's in England.

It is a queſtion of curioſity rather than of utility, how far the Lords Godolphin and Marlborough adhered, after their acceſſion to power, to their political attachments in favor of the exiled family. From the æra of the Aſſaſſination Plot in 1696, and more eſpecially from the termination of the war by the treaty of Ryſwick (A. D. 1697), the correſpondence of the Jacobite party with the Court of St. Germaine's ſeems almoſt to have ceaſed, or, where it was continued, to have dwindled into a mere matter of compliment and ceremony. The Lords Godolphin and Marlborough were amongſt thoſe who did not entirely drop the connection. Very ſoon after the acceſſion of the Queen, Lord Caryl, a nobleman occupying a diſtinguiſhed ſtation at St. Germaine's, in a letter dated April the 26th 1702, to the Sieur Berry, a confidential agent in England, who had free acceſs to thoſe Lords, deſires "that a fair correſpondence with them may be preſerved, that ſo they may have no excuſe ſhould they not be juſt in their engagements when time and opportunity ſerve." Auguſt the 21ſt, Lord Caryl, writing to Berry, ſays, "Your late conference with Godolphin doth in a good meaſure clear the ſuſpicion of his and his party's being joined with Hanover."—In December he writes, "that Marlborough as well as Godolphin muſt neceſſarily be treated with about this;" i. e. the reſtoration of the King —"and the great queſtion will be, what better ſecurity they will or can give for the performance of this new agreement, than they gave for the former, for which we had promiſes and oaths."—March 1703, Lord Caryl ſays: "I do not wonder that Marlborough comes ſo little in your ſight: I believe his former engagements, to which you are a witneſs, ſo ill performed by him, make his meeting with you uneaſy to him."—May 1704: "Your laſt gives fair hopes—I rely much upon your judgment in this matter, and ſhall always hope the beſt, though, to tell you truly, I cannot well ſee how his promiſes can be much ſtronger or more binding now, than they were many years ago, when they proved ineffectual.——

If

If you receive the ſame ſatisfaction when you meet with Godolphin, it will give a more promiſing face to the buſineſs; for that *partner* is not ſo free of his promiſes as Marlborough has been, and conſequently not ſo much to be ſuſpected of non-performance."—July 1704: "Concerning Marlborough we need ſay no more—but reſpite our judgment till we ſee farther proceedings of him and his.——Some prognoſtic may be made of what we can expect, by the countenance and expreſſions of Godolphin when you next meet him—If they are any thing of a piece with what Marlborough hath ſaid to you, we may hope well of him; but if you find him in his noted ſourneſs and dryneſs, we may conclude the words of his *partner* are but words." And, not to multiply quotations, in his letter of April the 25th following (1705), he writes thus:—"What you ſay to me concerning what paſſed in your laſt meeting with Marlborough, though it be but a repetition of what I formerly heard, I confeſs is very ſurpriſing; for very few men will lie only for lying's ſake.—It would be very ſtrange if he ſhould make ſuch promiſes and proteſtations without performing them. On the other ſide, words are but wind, when they are not followed by deeds—According to all outward appearances, he and his *partners* drive on violently for the intereſt of Hanover *."

Upon the whole, if Lord Godolphin was leſs laviſh of his proteſtations than Marlborough, the reality of his attachment appears to have been proportionably greater. He perhaps thought that the Kingdom would never attain to any permanent ſettlement without a reſtoration of the baniſhed family; and he would readily and even joyfully have concurred in any rational ſcheme for the accompliſhment of that event. But his clear and excellent underſtanding prevented his embarking in any wild or romantic projects. He ſuffered himſelf to be guided and influenced by the courſe of events, and he would neither riſque his own ſafety, nor ſacrifice the actual peace and proſperity of the Kingdom, in the purſuit of a remote and chimerical object. As to the Earl of Marl-

* Macpherſon's Papers, vol. i. It muſt be remarked that the names in the original letters are varied and fictitious, though fixed, by the ſenſe and connection, beyond all poſſibility of doubt or diſpute.

borough,

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borough, candour itſelf muſt acknowledge he was apparently governed by motives almoſt wholly ſelfiſh and ambitious.

Intrigues of the Court of St. Germaine's in Scotland.

During the political conflicts which agitated the Scottiſh Parliament, the intrigues of the Court of St. Germaine's with the leaders of the malcontents were carefully kept up. In a draught of inſtructions for Captain Murray, a dextrous agent of the exiled family, going in the ſpring of 1703 into Scotland, he is ordered to aſſure the Duke of Hamilton of the great ſenſe entertained of his ſervices, and to deſire him and his friends to uſe all their credit in oppoſing "Abjuration, Hanover, and Union;" which laſt is ſtyled "a mere trick to delude and engage them to perpetuate an uſurpation, and all the miſeries that attended ſuch a manifeſt injuſtice." On the return of Murray from Scotland in the ſucceeding year, he repreſented in a Memorial addreſſed to the Queen Regent the great things that had been done in conſequence of his miſſion. "It was," as he boaſts, "by means of the inſtructions tranſmitted by him, that the power which had been given to the Commiſſioners to treat about the Union was declared to be expired, that the Hanoverian ſucceſſion was rejected, and that the Bill for the Abjuration was not even propoſed in Parliament.—He declares that the Duke of Hamilton had ſo far engaged the Lords Athol, Tarbat, and Seafield in his meaſures, that they reſolved to repreſent to the Princeſs of Denmark the neceſſity of yielding theſe three points; after which it was not doubted but ſhe might be prevailed upon in due time to make ſome treaty in favor of the King her brother—or, if ſhe perſiſted in her refuſal, there was room to believe that the Country party would make ſome declaration, or undertake ſome enterpriſe, in favor of *his Britannic Majeſty*.—He reports alſo to the Queen a demand of the Duke of Hamilton for the ſum of 25,000l. to enable him to maintain his credit and ſtrengthen his party." By authentic documents it appears that the Duke of Gordon, the Marquis of Montroſe, the Earls of Errol, Mareſchal, Moray, Hume, &c. &c. were ready, whenever called upon, to riſe in arms, upon condition of being aſſiſted by 5000 regular troops from France. All the oppoſition to be met with in England, as they affirmed, would be a few new-raiſed troops

troops diſperſed in diſtant forts, with a weak Princeſs, a very timid Miniſter, and a very mercenary General; who might then think of performing their promiſes, in order to deſerve their pardon *." Well appriſed doubtleſs of theſe machinations, Lord Godolphin could no longer preſerve an ambiguous or neutral conduct. He was compelled to take a deciſive part in oppoſition to them by every motive of private intereſt and public ſafety, and, by accompliſhing the Union of the two Kingdoms, for ever to extinguiſh the hopes of that unfortunate family, by whoſe partiality from an obſcure origin he had attained to his preſent exalted height of power and greatneſs.

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Campaign in the Netherlands, &c.

Early in April 1705 the Duke of Marlborough again paſſed into Holland. He had now formed a real intention to execute the project reſpecting which the French were ſo needleſsly apprehenſive the preceding year, viz. to penetrate into France on the ſide of the Moſelle. Prince Louis of Baden, who commanded the army of the Empire, and upon whoſe co-operation the ſucceſs of the project depended, on being conſulted in the winter, expreſſed his entire approbation of it. But when all things were in readineſs for opening the campaign, he ſent an expreſs to the Duke, ſignifying his inability, on account of ill health and the weakneſs of his army, to fulfil his engagements. The Engliſh Commander, who had already begun his march, proceeded in perſon as far as Raſtadt in order to confer with the Prince, who at length and with much difficulty conſented to reſume the original plan of operations. M. Villars, who commanded the French army on the Moſelle, at the approach of the Allies encamped in an inacceſſible ſituation at Coningsmacheren, leaving by this means the way open to Saar Louis, which the Duke propoſed to beſiege. But after waiting in vain ſeveral ſucceſſive weeks for the expected junction of the Germans, his Grace received advice that the Prince of Baden was gone much indiſpoſed to the baths of Schwalbach, and that neither horſes nor artillery were provided. At the ſame time he had intelligence of the loſs of Huy, and that the Elector of Bavaria and M. Villeroi had actually inveſted the city of Liege. The

* Macpherſon's Papers, vol. i. p. 666—682.

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Duke perceiving his ſchemes thus rendered abortive, reſolved in a council of war immediately to march back to the Maeſe, not without ſtrong expreſſions of reſentment againſt the Prince of Baden, who was believed to view the glorious ſucceſſes of the Duke in the laſt campaign with malignant and envious eyes, and whoſe conduct was ſuch as even to expoſe him to the ſuſpicion and imputation of treachery—though probably without any juſt foundation.

On the arrival of the Engliſh General, the face of affairs was immediately changed in the Netherlands. He not only compelled the enemy to raiſe the ſiege of Liege, and with little difficulty re-captured Huy; but attacking the French, who had retired within their lines, forced them in their entrenchments near Tirlemont, with the greateſt vigor and ſucceſs. But the Marechal retreating to the ſtrong camp of Parke near Louvaine, the Field Deputies of the States poſitively refuſed to concur with the propoſal of the Duke to hazard a general engagement with the enemy occupying that advantageous poſition. On which his Grace wrote a warm expoſtulatory letter to their High Mightineſſes, complaining how much leſs he found his authority in Flanders, than when he had the honor of commanding their troops the laſt year in Germany. In conſequence of this remonſtrance, General Schlangenburg, to whoſe advice the refractory conduct of the Field Deputies was attributed, received his diſmiſſion from the ſervice. The projects of the Duke being thus defeated both in Germany and Flanders, he was obliged to content himſelf with the conqueſt of the petty fortreſs of Sout Leuwe, ſituated in a moraſs contiguous to the river Gheet, and Santvliet a place in Flanders of no great conſequence. In the mean time the Elector of Bavaria ſurpriſed and carried by a *coup de main* the town of Dieſt—making the garriſon priſoners of war; and thus ended the campaign in the Netherlands.

The operations on the Moſelle and the Rhine, after the retreat of the Duke of Marlborough, were of inconſiderable moment. M. Villars, on the one hand, made himſelf maſter of Croon Weiſſenburg, and Homburg;

burg; which the Prince of Baden, on the other, revenged by paſſing the Rhine and forcing the poſts of Druſenheim and Haguenau in Alſace; which enabled the Germans to ſecure their quarters, during the winter, on the French ſide of the Rhine.

Death of the Emperor Leopold.

In the month of May this year (1705) died the Emperor Leopold, who had experienced, during his long reign, very frequent and wonderful viciſſitudes of fortune. He was ſucceeded by his ſon Joſeph King of the Romans, who inherited, with the Imperial diadem, all his father's weakneſs, pride, bigotry, and hatred of hereſy. The Duke of Marlborough, with whom the new Emperor declared himſelf deſirous to confer, arrived at Vienna November 12 (1705), where he was received with the higheſt diſtinction, and inveſted with the high dignity of a Prince of the Empire—the Lordſhip of Mindelheim, in the Circle of Suabia, being erected into a principality, and aſſigned to him in reward of his great ſervices. He then viſited the Courts of Berlin and Hanover, as in the preceding year, and arrived in London on the 30th of December 1705.

Prince Eugene, who commanded this year in Italy, had to encounter with great difficulties from the congenial talents and ſuperior force of his antagoniſt the Duc de Vendome. A well fought but indeciſive engagement took place between theſe great Generals at Cuſano, where the Prince had indeed the honor of keeping the field, but M. Vendome ſeemed to reap the fruit of the battle. Nice was reduced by the end of the year, and the Duke of Savoy had now no conſiderable places remaining to him but Coni and Turin; and his reſolution to adhere to the Grand Alliance in defiance of fortune, ſeemed, to the aſtoniſhment of all who recollected his former verſatility, not only unſhaken but dignified and heroic.

The campaign in Portugal had an auſpicious commencement: for, the ſiege and vigorous defence of Gibraltar cauſing a great diverſion of the Spaniſh arms, afforded the Portugueſe an opportunity of penetrating the Spaniſh frontier; and ſomething of the ſpirit of enterpriſe appeared, notwithſtanding the indiſpoſition of the King; during which the Queen of

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England, dowager of Charles II. who had returned to Portugal ſoon after the Revolution, was entruſted with the regency of the kingdom. The Allied troops, under the Conde das Galveas and the Earl of Galway, taking the field in the month of April 1705, reduced the towns of Alcantara and Albuquerque on the ſide of Alentejo; and on that of Beira, the Marquis das Minas beſieged and captured the town of Salva-terra, and plundered and deſtroyed Sarca, which was abandoned by the enemy at his approach; after which both armies during the ſummer heats went into quarters of refreſhment. In the beginning of October the combined armies, again taking the field under the ſame commanders, inveſted with their joint forces the city of Badajoz, the ſiege of which was for ſome time carried on with every appearance of ſucceſs. But, on the 11th of October, a bomb, unfortunately falling on one of the batteries, blew up the magazine of powder, with ſeveral of the gunners. And as, according to the vulgar obſervation, misfortunes rarely come ſingle, the Earl of Galway, haſtening to the ſpot to give the neceſſary directions, expoſed himſelf to the fire of a fort, a random ſhot from which ſtruck off his right hand ſomewhat above the wriſt. The Earl being compelled to quit the camp, the conduct of the ſiege was entruſted to Baron Fagel, the General of the Dutch troops. But in a ſhort time Marechal de Teſſé appearing unexpectedly at the head of a conſiderable body of forces, the Confederates thought proper to raiſe the ſiege, not without ſome degree of precipitation and loſs.

Capture of Barcelona.

Towards the end of June, the Engliſh fleet, with a large reinforcement of troops on board, under the command of Sir Cloudeſley Shovel and the Earl of Peterborough, had arrived at Liſbon; and the Prince of Heſſe, who on the relief of Gibraltar had repaired alſo to that metropolis, giving to the Archduke, ſtyling himſelf King Charles III. the moſt poſitive aſſurances of the favorable diſpoſition of Catalonia and Valencia, and being ſtrongly ſeconded by the Earl of Peterborough, a man of great but eccentric talents, who was actuated by the ſpirit of wild and romantic adventure, the Archduke declared his reſolution to try his fortune in that part of Spain. The whole armament, having on board nineteen battalions of infantry and 1300 horſe, with a good train of artillery, arrived

rived in the bay of Barcelona Auguſt 22 (1705), where a landing was effected amid the acclamation of the Catalans. A determination was taken in a council of war, immediately to lay ſiege to the city of Barcelona, though defended by a numerous garriſon, and the force of the Allies was to appearance utterly inadequate to ſo hazardous an enterpriſe. But the principal dependance was on the known diſaffection of the inhabitants to the exiſting Government. Deſerters came daily from the town, who brought them much uſeful intelligence: the moſt important article was, that Fort Monjuic, a caſtle of great ſtrength, ſituated on the heights, which in a great meaſure commanded the town, was very ill guarded, under the idea that it was in no danger of attack. A reſolution was immediately taken to attempt it by a *coup de main*. The Prince of Heſſe and the Earl of Peterborough, putting themſelves at the head of a choſen body of troops, after a nocturnal and circuitous march attained to the ſummit of the hill at break of day, September the 7th. At the firſt onſet the Prince of Heſſe, an officer of extraordinary military ſkill and gallantry, fell mortally wounded. But the Earl continued the aſſault with little proſpect of ſucceſs, till, the magazine of powder by ſome accident ſuddenly blowing up, the Governor in conſternation ſurrendered the fort. The city was now attacked with great advantage and increaſe of vigor on the part of the beſiegers; and on the 9th of October the Governor, Don Franciſco de Velaſco, conſented to capitulate; and the garriſon was allowed to march out with all the honors of war.

Rapid ſucceſſes of the Archduke.

No ſooner was the ſurrender of Barcelona known, than the whole province of Catalonia, the town of Roſes excepted, declared in favor of King Charles III. The kingdom of Valencia, including its capital of the ſame name, rapidly followed the example of Catalonia; Alicant alone retaining its allegiance to King Philip: and the victors ſtood aſtoniſhed at their own extraordinary and unexpected ſucceſs. But the Conde de las Torres, a Spaniſh officer of great merit, entering Valencia at the head of a conſiderable army, the kingdom ſeemed in danger of being loſt as quickly as it was won. The Earl of Peterborough, marching to its relief with a very inferior force, raiſed the ſiege of St. Mattheo in

eight

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eight days from his departure from Barcelona, though above thirty leagues diſtant, diſtinguiſhing himſelf by a ſeries of the moſt daring and heroic actions; and after ſurmounting innumerable difficulties, and ſuſtaining incredible fatigues, he at length made a triumphant entry into Valencia.

Seſſion of Parliament.

The new Parliament met at Weſtminſter October the 25th 1705. Of 513 Members, 457 were preſent at the choice of a Speaker. The Court declared for Mr. Smith, who had occupied the poſt of Chancellor of the Exchequer in the late reign, a man of excellent underſtanding, of conſiderable parliamentary talents, and of great integrity and moderation. The Tories, now in avowed oppoſition to the Court, nominated Mr. Bromley, Member for the Univerſity of Oxford. On the diviſion, Mr. Smith carried it by 250 to 207 voices—ſo that it clearly appeared, to the great joy of the Nation in general, that a Whig Parliament was elected. Some months previous to the meeting of the new Parliament, the Duke of Buckingham was diſmiſſed from his office of Lord Privy Seal, which was conferred upon the Duke of Newcaſtle; and more recently the Great Seal was taken from Sir Nathan Wright Lord Keeper, and given under the ſame appellation to William Cowper, ſoon after created Lord Cowper—a Lawyer very eminent in his profeſſion, an eloquent and graceful orator, and zealouſly attached to the Whig principles of 1688. The Speech from the Throne, aſcribed to the new Lord Keeper, was much admired, and breathed the genuine ſpirit of liberty as modified by the opinions and prejudices of the times. The Queen declared her perſuaſion that the two Houſes were convinced of the neceſſity of proſecuting the juſt war in which they were engaged. She declared, "that nothing could be more evident than that, if the French King continued maſter of the Spaniſh Monarchy, the balance of power in Europe would be utterly deſtroyed—and ſhe affirmed there was great ground to hope that, by the bleſſing of GOD, a good foundation was laid for its reſtoration to the Houſe of Auſtria. She avowed her intention of appointing Commiſſioners to treat of a Union between the two Kingdoms, agreeably to the powers veſted in her by the Parliaments of England and Scotland.

Whigs recover their aſcendency.

But

But ſhe ſaid, there was another union which ſhe thought herſelf obliged to recommend in the moſt earneſt and affectionate manner—an union of minds and affections amongſt ourſelves. She could not but with grief obſerve, there were thoſe who endeavored to foment animoſities, and ſome who were even malicious enough to ſuggeſt that the Church was in danger; and ſhe pronounced ſuch perſons to be enemies to her and the Nation, and that they could only mean to cover deſigns which they dared not publicly to own. She concluded with expreſſing her firm reſolution, affectionately to ſupport the Church by Law eſtabliſhed, and inviolably to maintain the Toleration—uſing all her endeavors to promote the eaſe and ſafety of her ſubjects, and to make them a flouriſhing and happy People." The Addreſſes were in the higheſt ſtrain of Loyalty and Whiggiſm; and the Tories, enraged to ſee the Queen withdrawing from them her confidence and favor, and the principles of Whiggiſm becoming thus prevalent and popular, determined to conform themſelves to the times, and to outdo the Whigs themſelves in their zeal for Liberty and Proteſtantiſm.

Obnoxious motion of the Tories to bring over the Princeſs Sophia.

On the 15th of November, the Lords being in a Committee on the ſtate of the Nation, Lord Haverſham, after a long ſpeech expreſſive of his anxious concern for the ſafety of the Queen, the preſervation of the Conſtitution, and the ſecurity of the Church, moved, "that an humble Addreſs be preſented to her Majeſty, that her Majeſty will be graciouſly pleaſed to invite the preſumptive heir to the Crown of England according to the Acts of Parliament made for ſettling the ſucceſſion to the Crown in the Proteſtant line, into this Kingdom, to reſide here." This was ſtrongly ſupported with great plauſibility of argument by the Duke of Buckingham, and the Earls of Nottingham and Rocheſter. They urged, "that they had ſworn to maintain the ſucceſſion; and there were no means ſo ſure to effect it, as to have the ſucceſſor upon the ſpot ready to aſſert and defend his right. It appeared through our whole hiſtory, that, in caſe of competition, whoever came firſt into England had always carried it.—And it was affirmed, that if the Archduke had been reſident in Spain at the demiſe of the late King, the preſent

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ſent war would in all probability never have exiſted." By this motion the Tory party fancied they had reduced the Whigs to an exquiſite dilemma. If they oppoſed the motion, they would eſſentially injure their reputation in the view of the Nation at large, and of the Electoral Family in particular. If they acquieſced in it, they would loſe the favor of the Queen. But they extricated themſelves from this embarraſſment with great dexterity and felicity. They repreſented in forcible language the inconveniences and jealouſies which would ariſe from a rivalry between the two Courts; and they aſſerted the propriety of keeping the ſucceſſor in a ſtate of dependence upon the reigning Sovereign. The Earl of Wharton declared, "that he had ever looked upon the Proteſtant Succeſſion as eſſential to the national liberty and happineſs; and it was to him a ſubject of deep regret, that there were ſo many who appeared to think differently. He had lately heard with an emotion of delight the Queen recommend from the throne union and agreement to all her ſubjects. It was now evident that there was a divinity about her when ſhe ſpoke. The cauſe was certainly ſupernatural, for we ſaw the miracle that was wrought by it. Now all were for the Proteſtant Succeſſion. He rejoiced in their converſion, and confeſſed it was a miracle. Like moſt other new converts, however, their zeal far exceeded their judgment and diſcretion. He commended the warmth they had diſplayed, though he could not adopt the propoſition they had offered." In lieu of a meaſure ſo replete with miſchief and danger, his Lordſhip moved for a Bill eſtabliſhing an eventual Council of Regency, which ſhould be empowered to act on the demiſe of the Queen, previous to the arrival of the ſucceſſor. And the Archbiſhop of Canterbury, the Lord Chancellor or Keeper, the Lord Preſident, the Lord Treaſurer, the Lord Privy Seal, the Lord High Admiral and the Lord Chief Juſtice of England, for the time being, were nominated for that high truſt. Beſides theſe, the ſucceſſor was authoriſed, by a clauſe of the Bill, to ſend over an inſtrument ſealed up, containing the names of ſuch perſons as he thought proper to join in the ſame truſt as Co-regents. This Bill was received with great applauſe, and ſoon paſſed, with a trifling and diſgraceful oppoſition from the rival faction, into a law, to the great cha-

grin

grin of the Tories, who found not only their own ſchemes entirely diſconcerted, but that the Whigs had taken the advantage of them to raiſe their credit not only with the Queen, but with the public, and even with the Electoral Family; who by another Act were endowed with all the privileges of naturalization, rendered yet more valuable, or at leaſt more honorable, by the ſingular diſtinction of its extending to all the deſcendants of the Princeſs Sophia whereſoever born.

The Queen was in perſon preſent at the debate, and expreſſed great indignation and amazement at the arguments made uſe of by the Tory Lords—who treated her royal perſon and authority with very little appearance of reſpect—the Duke of Buckingham even ſuppoſing the caſe of her falling into a ſtate of idiotiſm and dotage. It was upon this occaſion, as the Ducheſs of Marlborough informs us, that the Queen gave the firſt indications of any thing like a real reconcilement to the Whigs. "I believe," ſaid the Queen, in a letter to the Ducheſs, "that dear *Mrs. Freeman* and I ſhall not diſagree as we have formerly done: for I am ſenſible of the ſervices thoſe people have done me that you have a good opinion of, and will countenance them; and am thoroughly convinced of the malice and inſolence of them that you have always been ſpeaking againſt." And at this time it was that the Queen authoriſed Lord Godolphin to give aſſurances to the chief leaders of the Whigs that ſhe would put herſelf and her affairs into ſuch hands as they ſhould approve*.

It appears that the Princeſs Sophia, now 75 years of age, but unimpaired in health, vivacity and intellect, would have had no objection to accept an invitation from the Engliſh Nation to fix her reſidence in England—in which caſe it was underſtood that a royal appanage, and the title of *Princeſs* of Wales, would have been conferred upon her. The Earl of Halifax being ſent to Hanover with the two Acts of Regency and Naturalization; the Duke of Marlborough, and the Lords Cowper and Somers, &c. wrote letters to the Electoral Court, in vindica-

* Conduct of the Ducheſs of Marlborough.

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tion of their late conduct, which appear to have given complete ſatiſfaction. The Electreſs declared herſelf "*charmed* to ſee the reſpect and affection ſhewn by the Parliament to her Majeſty." And Lord Somers very properly ſuggeſted, "that if the invitation had been aſſented to with reluctance on the part of the Queen, it might have given riſe to unkindneſſes which in the end might have proved very fatal."

The Queen having laid before the two Houſes the Addreſſes of the Scottiſh Parliament, expreſſive of their reſolution not to enter into any negotiation reſpecting a Union with England, until the Act declaring them aliens, &c. ſhould be repealed; a motion for that purpoſe was accordingly made, and unanimouſly acceded to; and the way was now clear for opening a treaty as ſoon as the Seſſion of Parliament ſhould terminate.

Church declared to be *not* in danger.

Much having been ſaid in the late debates relative to the *danger of the Church*, which was uſed by the Tories as the watch-word of the party, by which they ſtrove in this decline of their influence and popularity to awaken the fears and excite the paſſions of the people; Lord Halifax moved to appoint a day to enquire into the grounds of this pretended danger—when a moſt vehement debate took place. The Earl of Rocheſter affirmed that the danger of the Church aroſe from three cauſes: 1ſt. The Act of Security, by which Scotland, where Preſbytery was eſtabliſhed without a Toleration, was rendered very formidable and dangerous. 2dly, The Proteſtant heir not being reſident in the Kingdom—and 3dly, The not paſſing the Occaſional Conformity Bill. To this Lord Halifax replied, "that the Act of Security in Scotland was a national thing, wholly foreign to Church affairs—that, however inimical the Church or the Kingdom of Scotland might be ſuppoſed, England was at all times able to defend herſelf; and at preſent more ſo than at any former period—the ſtrength of England having increaſed ſince the union of the two Crowns, much more in proportion than that of Scotland; but that, by GOD's bleſſing, an entire union of the Britiſh Nations was ſoon likely to put an end to this ſource of danger. As to the Houſe

Houſe of Hanover, he ſaid that was a danger but of eight days ſtanding; for a fortnight ago no one dreamed that the abſence of the Princeſs Sophia was cauſe of danger to the Church. With regard to the Occaſional Conformity Bill, that matter had been recently canvaſſed, and the opinion of the Houſe was already formed, that ſuch a bill would not prove of any advantage or ſecurity to the Church, but rather the reverſe. Upon the whole, his Lordſhip admitted that there had been times within their memory when the Church might be ſaid to be in danger: —that King Charles II. was ſtrongly ſuſpected, and his ſucceſſor was publicly known to be a Papiſt; and yet the Church did not then appear to be apprehenſive of danger. On the contrary, thoſe patriots who endeavored to keep out a Popiſh ſucceſſor were perſecuted and puniſhed. Nay, when that ſucceſſor came to the Crown, and the Clergy were menaced with the terrors of the High Commiſſion, the Noble Lord who now trembled for the ſafety of the Church was ſo far from being then alarmed, that he ſat as one of the Judges in that very Court. But when King William, the great champion of the Proteſtant religion, acceded to the Crown, the cry of the Church's danger began—upon what ground it was hard to ſay. The clamor had ſubſided for a time in the early part of the Queen's reign; but, on ſome changes taking place in the Miniſtry, it was anew vociferated that the Church was in danger—an aſſertion as contrary to decency as to truth." On a diviſion, it was carried by a majority of 61 to 30 voices, "that the Church of England, as by Law eſtabliſhed, which was reſcued from the extremeſt danger by King William III. of glorious memory, is now in a moſt ſafe and flouriſhing condition, &c." And the reſolution of the Lords being agreed to by the Commons on a diviſion of 212 to 160 voices, an Addreſs to the ſame effect was preſented to the Queen, who declared her ſatisfaction to find both Houſes ſo ready to join with her in putting a ſtop to theſe malicious reports.

The Upper Houſe of Convocation having at the ſame time prepared an Addreſs to the Throne in terms of loyal affection, and expreſſing their indignation at the ſuggeſtion that the Church was in danger under

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her Majeſty's Adminiſtration; the Lower Houſe refuſed either to concur, or to ſtate their exceptions. Much wrangling altercation enſued, which terminated in a ſeceſſion of about one third of the Members of the Lower Houſe. At length the Queen ſent a letter to the Archbiſhop, dated February the 25th (1706), in which ſhe expreſſed her ſurpriſe that the differences in Convocation were ſtill kept up—and intimated her diſlike of diviſions and innovations. She declared her reſolution to maintain her ſupremacy, and the due ſubordination of Preſbyters to Biſhops as a fundamental part of the Eccleſiaſtical Conſtitution; and ſhe required the Archbiſhop, after communicating this reſolution to the Biſhops and Clergy, to prorogue the Convocation to ſuch time as appeared moſt convenient. This letter was liſtened to with the utmoſt chagrin by the High-Church party, who ſubmitted to the prorogation with great reſentment and reluctance; as a violation of their pretended right to continue their ſittings during the ſeſſion of Parliament. The grievance, fortunately, was of ſhort duration. On the 19th of March the Queen came to the Houſe of Peers, and with many gracious expreſſions of regard put an end to the ſeſſion.

Articles of the Treaty of Union agreed upon.

According to the powers veſted in the Queen by the Parliaments of England and Scotland, ſhe once more appointed Commiſſioners on each ſide to treat upon the great buſineſs of the Union of the Kingdoms, who met for the firſt time on the 16th of April 1706 at Whitehall. The Scottiſh Commiſſioners had entertained the idea of a federal Union, like that of the United Provinces, or of the Cantons of Switzerland. But the Engliſh reſolved to loſe no time in the examining or diſcuſſing that project, having previouſly and wiſely determined to treat only concerning an incorporating Union, which ſhould put an end to all diſtinctions, and conſolidate all national intereſts. In the progreſs of the negotiation, the Queen twice made her perſonal appearance amongſt them, in order to urge and exhort the ſpeedy concluſion of the Treaty. On the 23d of July 1706, the articles of the Union being fully completed and agreed upon, were in form preſented to the Queen, at which ſhe expreſſed the higheſt ſatisfaction—declaring, that ſhe ſhould look upon it as a particular

particular happineſs, if ſo great an event could be accompliſhed in her reign.

It was generally believed that Lord Somers had the chief ſhare in framing this famous Treaty, which was in many reſpects highly advantageous to Scotland, though in ſome points it ſeemed to derogate from her national dignity and independence. When four ſhillings in the pound land-tax, amounting to the ſum of two millions, were levied in England, Scotland was to be aſſeſſed at the rate of 48,000l. only. On the other hand, the Peerage of Scotland were diveſted of their privilege of ſitting as Lords of Parliament, and the whole body was in future to be repreſented by ſixteen Peers elected by themſelves; and the Commons by 45 Members choſen by the Country. Scotland was rendered liable to the ſame duties of cuſtom and exciſe with England; and a part of theſe being mortgaged for the payment of the principal or intereſt of the public debt of England, the ſum of 398,000l. was paid to Scotland as an equivalent for her ſhare of the ſame, to be applied to a re-coinage of the public monies, to the payment of the Scottiſh national debt, to indemnifying the Darien Company for their loſſes, in conſideration of the diſſolution of the ſame, and the encouragement of the infant manufactures of the Kingdom. Trade was to be free all over the Iſland, and to the Plantations; private rights were to be preſerved; and the Judicatories and Laws of Scotland were to be continued. Finally, the two Nations were to the end of time to conſtitute one Kingdom, under the ſame ſucceſſion to the Crown, and united under one Legiſlature. There was no proviſion in the Treaty reſpecting religion—agreeably to an expreſs limitation in the powers granted to the Commiſſioners by the Parliaments of both Kingdoms. Theſe were the chief and leading articles of this memorable Treaty—the firſt of the kind recorded in hiſtory; "for there never was at any time or in any place an example of two ſovereign kingdoms *incorporating* themſelves in ſuch a manner." Theſe are the words of Lord Halifax, in a letter addreſſed to the Court of Hanover on this welcome and intereſting occaſion. It now remained for the diſcuſſion and ratification of the two Legiſlatures.

The

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1706.

Campaign in Flanders.

The ſummer of the year 1705 being, upon the whole, favorable to the arms of France, the Court of Verſailles was emboldened at the opening of the preſent campaign to reſume her antient ſpirit of military enterpriſe; and orders were ſent to M. Villeroi to act upon the offenſive, and riſque a general engagement. In conſequence of theſe injunctions, the French Commander paſſed the Deule, behind which his army lay ſtrongly entrenched, and took a ſecure poſt at Tirlemont; not content with which, he advanced the next day, being Whitſunday, to Ramillies, where he unexpectedly found his farther progreſs ſtopped by the Engliſh General.

Battle of Ramillies.

According to every exiſting account, both of friends and foes, and particularly of M. Feuquieres, that great authority on military ſubjects, the diſpoſition of M. Villeroi on this occaſion was groſsly deficient in ſkill and judgment. The village of Ramillies, into which was thrown a great body of troops, fronted the centre of the French infantry; but without any precautions of defence, and at ſuch a diſtance from the line as to render it incapable of ſupport. The left wing, compoſed of cavalry, was covered by the Gheet and the impaſſable marſhes that bounded it: the troops, therefore, could neither charge the enemy, nor be charged by them. The right extended to the village of Taniercs on the banks of the Mehaigne, and ought to have been ſupported by it; but the village itſelf was guarded by one regiment only of dragoons. The baggage, inſtead of being removed to the rear, was heaped between the two lines, and materially embarraſſed their motions. The Duke of Marlborough diſcerned with the eye of a great commander the manifold and palpable errors of his adverſary. Perceiving the left wing of the French army rendered uſeleſs, he detached a very large proportion of his right to reinforce his centre and left, where the ſtreſs of the battle muſt neceſſarily lie. During this grand movement, M. Villeroi was urged to adjuſt his order of battle to that which he ſaw the enemy forming; but no inſtances could prevail upon him to vary his firſt diſpoſition, though five hours were employed in the neceſſary evolutions on the part of the Allies. The event was ſuch as might be expected from ſuch a combination of obſtinacy and preſumption. The troops, having no confidence in their General, and overpowered by numbers, diſplayed no marks of ſpirit or courage. In a

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ſhort time all was rout and conſternation, and a moſt complete victory was obtained with inconſiderable loſs. The Duke of Marlborough was nevertheleſs expoſed to the utmoſt perſonal danger, being thrown with violence from his horſe while charging at the head of his ſquadrons, and with difficulty reſcued from the enemy; after which, a cannon ball took off the head of Colonel Bringfield, his Gentleman of the horſe, as he was holding the Duke's ſtirrup to remount. The defeat of M. Villeroi was equally diſgraceful and diſaſtrous. He loſt his whole train of artillery, moſt of his baggage, 120 ſtandards, and about 18 or 20,000 men killed, wounded, priſoners or deſerters. The Marechal and the Elector of Bavaria, who was preſent in the action, with the broken remains of their army continued their precipitate flight beyond the Deule till they reached Louvaine; where having held by torch-light in the market-place a council of war, they reſolved to abandon that place, and retire towards Bruſſels. The conſternation occaſioned by this great victory extended itſelf even to Paris. The Duc de Vendome was in haſte recalled from Italy to take the command of the army in Flanders; and M. Villeroi, on his ſubſequent arrival at Verſailles, expected to be received with reſentment and reproach: but Louis, with whom the Marechal had ever been a perſonal favorite, gave him a cordial and gracious welcome, ſaying only in reference to the late event, "Fortune, you know, M. le Duc, is a female; and you and I are now too old to expect her favors."

The battle of Ramillies was followed by a general revolution in the Low Countries. Louvaine, Mechlin, Bruſſels, Antwerp, Ghent and Bruges ſubmitted without reſiſtance. Oſtend, Menin, Dendermond and Aeth ſurrendered almoſt as ſoon as they were ſummoned; the Duc de Vendome not being ſufficiently in force to attempt the relief of any of theſe places.

Military tranſactions in Spain.

Purſuant to the general plan of vigorous offenſive war concerted between the Courts of Verſailles and Madrid, King Philip aſſembled a great army early in the ſpring, with which, being joined by the French auxiliaries under M. de Teſſé, he appeared ſuddenly before Barcelona,

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where the rival Monarch kept his Court, and in a ſhort time formed the inveſtment of that important place by land, while the Count de Toulouſe blockaded it by ſea. The Earl of Peterborough, who flew from Valencia to its relief, made incredible efforts to ſave this capital. He maintained his poſt upon the hills for a conſiderable time with about 2500 men, never above a league or two from the enemy, whom he kept in perpetual alarm. But this was merely the irregular warfare of a daring partiſan; and all his exertions would have been found ultimately unavailing, had it not been for the critical arrival of the Engliſh fleet under Sir John Leake, May the 8th 1706, on the firſt appearance of which the Count de Toulouſe retired to Toulon: and M. de Teſſé, raiſing the ſiege in much diſorder, retreated with his diſpirited and well-nigh ruined army beyond the mountains. An almoſt total eclipſe of the ſun, which happened on that day, afforded occaſion for much ſarcaſtic and much ſuperſtitious reflection—the ſun being the choſen device of the French Monarch, whoſe oſtentatious motto was "Nec pluribus impar."

The Earl of Peterborough now urged the neceſſity of immediately proceeding to Madrid, in order to form a junction with the Portugueſe army under the Marquis Das Minas and the Earl of Galway, who finding, in the abſence of the King and his brave Caſtilians, few obſtacles in their way from the ſmall force left under the Duke of Berwick, after capturing the towns of Alcantara and Cividad Rodrigo, had marched to that capital, of which on the 24th of June they took quiet and peaceable poſſeſſion. The deciſive counſels of the Engliſh General, happily for Spain, were diſregarded by the Archduke. For reaſons which doubtleſs appeared to him very important, though it is now difficult to aſcertain them with preciſion, Charles lingered near three months in Catalonia and Arragon—thus allowing his rival full time to recruit his ſhattered forces, and to receive additional ſuccors from France. And on his re-approach to the capital, the Portugueſe army, diſpirited by inaction, ſuſpenſe and diſappointment, retreated towards Arragon, where they at length formed a tardy and ineffectual junction with the Imperialiſts. The Earl of Peterborough,

borough, enraged to perceive his expoſtulations fruitleſs, and the golden opportunity loſt, and reſolving not to act in ſubordination to the Earl of Galway, withdrew from the camp in high diſguſt, and without leave ſailed in one of the Queen's ſhips for Genoa; his pride and inſolence cauſing his abſence, notwithſtanding the acknowledged greatneſs of his talents, to be very little regretted. The chief reaſon aſſigned for the fatal lapſe of time during the weeks waſted at Saragoſſa, was the inability of his Majeſty to make his public entry into Madrid with the requiſite magnificence; to which General Stanhope, as we are told, with warmth replied, "that King William, when he made his deſcent upon England, went to London attended only by a few dragoons, otherwiſe he had loſt his Crown." The ſucceſs of the campaign, however, upon the whole was ſplendid. At the commencement of it, King Charles was cloſely beſieged in Barcelona, and in imminent danger of being made a priſoner; but it terminated in the recovery of Catalonia, the ſecurity of Valencia, and the reduction of Arragon.

Military tranſactions in Italy

During this fortunate year the ſucceſs of the Allied arms in Italy was ſcarcely inferior to the uninterrupted ſeries of triumphs they had experienced in Flanders. The Duke of Savoy, who had acceded to the Grand Alliance in the expectation of being powerfully ſupported by the Emperor, ſeemed abandoned to his fate, which his reſolution and courage ſerved only to protract, but could not avert. Overpowered by the ſuperior force and great military talents of his antagoniſt, he was at length reduced to take refuge in his capital of Turin, where, on the recall of the Duc de Vendome, he was cloſely beſieged by the French army under Marechal de Marſin. The Imperial Court, determining to make one grand effort effectually to aid the Duke of Savoy in this extremity, directed Prince Eugene at the head of a powerful army to march to the relief of Turin. With ſuch ability and ſuch ſucceſs did that celebrated Commander execute this important commiſſion, that, after ſurmounting all the numerous difficulties which obſtructed his junction with the Duke, he attacked the French army in their entrenchments before Turin, and gained a moſt glorious and deciſive victory—the unfortunate Marechal

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Marſin falling in the action. And this event was quickly followed by the final expulſion of the French from Lombardy.

On the banks of the Rhine alone, where M. Villars commanded with ſuperior ſtrength againſt the Prince of Baden, did Fortune ſeem diſpoſed to be more favorable to France. But the French General being compelled to ſend large reinforcements to the Duc de Vendome after the battle of Ramillies, the Circles of Suabia and Franconia were by this revulſion of his forces relieved from their terrors of pillage and contribution.

Advances made by France for obtaining peace.

In the autumn of the preſent year advances were made on the part of the King of France, amazed and confounded at ſuch unheard-of misfortunes, for obtaining peace. The Elector of Bavaria wrote, by his direction, a letter to the Duke of Marlborough, propoſing conferences to be held for that purpoſe, at ſome ſpot between the two camps, and, after the ſeparation of the two armies, at any place between Mons and Bruſſels; "in which," ſays his Electoral Highneſs, "You, Sir, with whom the intereſts of England are ſo ſafely entruſted, the Deputies which the States ſhall pleaſe to nominate, and the perſons whom the King of France ſhall empower, may begin to treat upon ſo important an affair." The Duke, after tranſmitting this letter to England, ſignified in terms of great coldneſs and haughtineſs, "that he was commanded by the Queen his Miſtreſs to declare, the way of conferences propoſed by the Elector, without more particular declarations on the part of his Moſt Chriſtian Majeſty, does not ſeem proper for obtaining a truly ſolid and laſting peace." The States General likewiſe expreſſed their concurrence in the ſame ſentiments. Anxious to enter into a negotiation, the King of France next applied to the Pope to interpoſe his good offices, and left it to the arbitration of his Holineſs to ſatisfy the rights and demands of the Emperor—ſpecifically offering the Milaneſe, Naples, Sicily, and Sardinia, with a barrier for Holland; all which propoſitions were refuſed with diſdain by the Court of Vienna, which inſiſted on nothing leſs than the dethronement of Philip, and the renunciation of the whole Spaniſh Monarchy.

The

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Affairs of Scotland.

The domeſtic affairs of Great Britain ſtill continued in a ſituation truly critical. On the 3d of October 1706, the Parliament of Scotland was convened for the laſt time at Edinburgh, the Duke of Queenſberry opening the ſeſſion as High Commiſſioner with unuſual ſtate and magnificence. The Queen's letter contained the intereſting information that the Articles of the Treaty of Union were agreed upon by the Commiſſioners appointed for that purpoſe, and recommended their adoption in the ſtrongeſt terms that language could afford, "as the only effectual way to ſecure their preſent and future happineſs, and to diſappoint the deſigns of her and their enemies, who would doubtleſs on this occaſion uſe their utmoſt endeavors to prevent or delay this union, which muſt ſo much contribute to her glory and the happineſs of her people."

Undoubtedly the accompliſhment of this Treaty was the final and death blow to the hopes of the Court of St. Germaine's: yet ſtill the fond and deluſive idea was cheriſhed, that the Engliſh Miniſters entertained amicable intentions reſpecting the exiled family. Lord Caryl, a nobleman who with very inferior talents ſeems to have ſuperſeded the Earl of Middleton, now aged and infirm, in the chief direction of affairs, expreſſes himſelf, July 1706, "glad at heart" on receiving the intelligence tranſmitted to him reſpecting "the good humor and fair profeſſions of Lord Godolphin"—who *could* mean nothing more at this period, than to amuſe and deceive. When the Treaty was actually before the Scottiſh Parliament, he is ſtill of opinion, "that a good conſtruction may poſſibly be made of the intentions of Marlborough and Godolphin, though he acknowledges them to be ſo full of myſtery in their dealings, that it is hard to judge of their deſigns *." And in ſubſequent letters his hopes and fears ſeem alternately to preponderate, and his mind to waver in anxious uncertainty. The object, no doubt, of theſe great Leaders was to perſuade the Court of St. Germaine's that their intereſt was conſulted, or at leaſt not ſacrificed, by the Union, in order to obtain the acquieſcence if not the ſupport of the Jacobite party in that meaſure.

* Macpherſon's Papers, vol. ii. p. 75.

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The French King, preſſed on all ſides by the victorious arms of the Allies, ſhewed no inclination, and even declared his total inability for the preſent to engage in any hoſtile enterpriſe againſt Britain. All that the Court of St. Germaine's, therefore, could do in theſe circumſtances, was to ſend over to Scotland, in compliance with the recommendation of M. Chamillart, the French Miniſter, Colonel Hooke, a man of ſenſe and experience, "to acquire on the ſpot a perfect knowledge of the ſtate of things." The Colonel was furniſhed by the two Courts of St. Germaine's and Verſailles with ample inſtructions, and a Declaration of War on the part of the former, to be publiſhed at the proper period, proclaiming "the reſolution of his Majeſty King James VIII. to repair to his Kingdom of Scotland in order to aſſert his undoubted right, and to deliver all his good ſubjects from the oppreſſion and tyranny they had groaned under for above eighteen years paſt." And the Colonel was expreſsly authoriſed and commiſſioned to repreſent to them "the neceſſity of laying hold of this opportunity of vindicating the Sovereign's right, and their own privileges and independency, which, if neglected, may never be retrieved." But in the paper ſigned by M. Chamillart it is particularly recommended to Colonel Hooke, not to engage his Moſt Chriſtian Majeſty in expences which he cannot conveniently ſupport, nor to give them any room to hope for more than he can furniſh*." Upon the whole, the Jacobite faction, little influenced by the artifices of Lord Godolphin, who, ſincere and upright by nature, was tempted and almoſt compelled by circumſtances to act an inſidious and faithleſs part, determined to exert themſelves to the utmoſt in oppoſition to the Treaty of Union; and in this deſign they were, from motives very different, ſeconded by the old Republican party, headed by Fletcher of Saltoun.

The leaders of the Jacobites were the Dukes of Hamilton, Gordon and Athol, the Marquis of Annandale, the Earls of Errol, Mareſchal and Belhaven, &c. Of theſe the Duke of Hamilton was univerſally conſidered as the chief in point of power, influence and popularity; and

* Macpherſon's Papers, vol. ii. p. 80.

being

being deſcended by the female line from the Houſe of Stuart, "a gleam of royalty opened upon his mind," and he was ſuſpected, not without reaſon, of aſpiring to the ſucceſſion, if by any means the claims of the rival Courts of St. Germaine's and Hanover could be ſuperſeded. He had, however, much at ſtake; and being at length reluctantly convinced of the vanity of his own pretenſions, he began to liſten to the ſecret overtures of the Engliſh Miniſtry; and at the commencement of the preſent ſeſſion it is probable he had already determined to abandon his party whenever his intereſt ſhould prompt. From the tenor of Colonel Hooke's inſtructions, it appears that the Lords Middleton and Caryl placed no reliance upon him, and that his duplicity was already detected. This is abundantly confirmed in the curious Narrative, ſubſequently publiſhed in France, of Colonel Hooke's negotiations in Scotland, with the original authorities annexed. On his firſt arrival, the Duke ſent to the Colonel, deſiring to know "whether he was not ordered to offer him ſome perſonal advantages, and what thoſe advantages were." Lord Errol ſaid, "that the Duke of Hamilton's conduct was impenetrable; and adviſed Colonel Hooke to conceal from him all that he tranſacted with the other Lords." "I ſaw," ſays the Colonel, "the Nation ready to come to the laſt extremities to prevent the Union; that they only waited for a leader; that the Duke of Hamilton wanted them not to think of the King of England, by perſuading them that the King of France neither had an inclination nor an ability to aſſiſt that Prince; and the deſpair of the people augmenting every day, the Duke might flatter himſelf that they would at length addreſs themſelves to him. It appears to me, that if he was not gained over by the Court of London, he could have no other views *." Alſo in a Memorial of the Laird of Kerſland, a principal leader of the Preſbyterians in the Weſt, who in the preſent national infatuation had forgotten the oppreſſions they had formerly ſuffered under the dominion of the perfidious and tyrannic race of STUART, it appears that application had been made by them to the Duke of Hamilton for permiſſion "to take arms, and diſperſe the Parliament; and that the Duke had charged them '*not to ſtir*'—which

* Secret Hiſtory of Colonel Hooke's Negotiations.

they

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they obeyed with great regret.—That ſhortly after the Laird of Niſhy, of the Houſe of Hamilton, had inſinuated to them, that, the King being abandoned by France, it was neceſſary to look for other means of delivering their Country—and then propoſed to them to offer the Crown to the Duke of Hamilton—that they rejected this propoſition, well knowing the reſt of the Nation would never conſent to it." Colonel Hooke, after what he ſaw and heard, no longer thought it of uſe to keep any meaſures with the Duke. On receiving a frivolous and futile meſſage from him by Lord Kilſyth, "to inform the KING, that nothing could contribute ſo much to his ſervice as the gaining of Lord Marlborough and Lord Godolphin," he anſwered, "that he was not come to Scotland to aſk the Duke of Hamilton's advice about the King's affairs—that his Majeſty did not want it—that the Duke did not deal fairly—that he uſed tricks unbecoming a perſon of his character—that he pretended to want to treat, but did not take meaſures for it—that he was tired of all his ſhuffling evaſions, and that, if he would not do any thing, he ſhould perhaps find means to ſave Scotland without him *."

Articles of the Union debated.

The debates of the Scottiſh Parliament on this great and ſolemn occaſion were, in reſpect both of argument and eloquence, equal perhaps to thoſe of any public Aſſembly whoſe tranſactions have been the ſubject of hiſtoric regard. Every conſideration of honor, intereſt and ſafety which can touch the human heart, or awaken the dormant paſſions of the ſoul, was urged by the Members in Oppoſition to deter the Houſe from the adoption of this fatal project. Fletcher of Saltoun with all the energy of Roman patriotiſm declared, "that the Nation was BETRAYED by the Commiſſioners"—and when vehemently called upon for an explanation, he perſiſted in his charge, alleging, that he could find no other word than TREACHERY to expreſs his ideas of their conduct. It was harſh indeed, but it was truth; and, if the Houſe thought him guilty of any offence in making uſe of this expreſſion, he declared himſelf willing to ſubmit to their cenſure." A vote of cenſure, however, no one dared to move. And Lord Belhaven, in a ſpeech yet famous in Scotland, de-

* Secret Hiſtory of Colonel Hooke's Negotiations.

pictured

pictured with moſt impreſſive imagery Caledonia as ſitting in the midſt of the Senate, looking indignantly around her, and covering herſelf with her royal robe, attending the fatal blow, breathing out with tender and paſſionate emotion the exclamation, "Et tu quoque, mi fili!" "I ſee," ſaid this animated orator, "a free and independent Kingdom tamely reſigning that which has ever been conſidered amongſt nations as the prize moſt worthy of contention—a power to manage and conduct their own affairs, without any foreign interference or control. We are the ſucceſſors of thoſe who founded our Monarchy, framed our Laws, and who during the ſpace of 2000 years have handed them down to us with the hazard of their lives and fortunes. Shall we not then zealouſly plead for thoſe rights which our renowned progenitors ſo dearly purchaſed? Shall we hold our peace, when our Country is in danger? GOD forbid! —England is a great and glorious Nation. Her armies are numerous, powerful and victorious; her trophies ſplendid and memorable; ſhe diſpoſes of the fate of kingdoms; her navy is the terror of Europe; her trade and commerce encircle the globe; and her capital is the emporium of the univerſe. But we are a poor and obſcure people, in a remote corner of the world, without name, without alliances, without treaſures. What hinders us then to lay aſide our diviſions, to unite cordially and heartily, when that liberty which is alone our boaſt, when our all, our very exiſtence as a Nation is at ſtake? The enemy is at our gates. Soon will he ſubvert this antient and royal throne, and ſeize theſe regalia, the ſacred ſymbols of our liberty and independence.—Where are our Peers and our Chieftains? Where are the Hamiltons, the Douglases, the Murrays and the Campbells? Will poſterity believe that ſuch names yet exiſted, when the Nation was reduced to this laſt extremity of degradation, and that they were not eager in ſuch a cauſe to devote themſelves for their country, and die in the bed of honor? My heart," ſaid this noble patriot "is full of grief and indignation, when I conſider the triumph obtained by England, which has at length brought under ſubjection this fierce and warlike people, who for ſo many ages ſhed the beſt blood of the Nation to eſtabliſh their independency. It is ſuperfluous," added he, "to enter into a formal examination

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of the articles of this Treaty; for though we ſhould even receive a *carte blanche* from England, what is this in exchange for our Sovereignty? But does not in fact this pretended Union amount to political annihilation? I ſee the Engliſh Conſtitution remaining firm—the ſame two Houſes of Parliament, the ſame municipal laws, the ſame commercial companies, the ſame courts of judicature; while WE make an ignominious and entire ſurrender of our national polity, our rights, our liberties, our honor and our ſafety."

Theſe were the ſentiments by which the Scottiſh Nation was almoſt univerſally actuated, and by which a generous and high-ſpirited people could not fail of being at ſuch a criſis very powerfully impreſſed. The ſpeech of Lord Belhaven drew tears of anger and diſdain from his auditors. And it was in vain that a few diſintereſted and diſpaſſionate patriots, who from principle acted in conjunction with the numerous band of courtiers, placemen and penſioners who compoſed a majority of the Parliament, forcibly urged the great and ſolid advantages which muſt reſult from this Union. "That the actual ſituation of Scotland in a political view," ſaid one of the Commiſſioners—Mr. Seaton of Pittmedden—who addreſſed the Houſe on this occaſion, "is diſadvantageous and ineligible, no one will venture to deny. Two kingdoms ſubject to one Sovereign, and having ſeparate intereſts, muſt be liable to endleſs emulations and jealouſies; and the Monarch will, whenever theſe intereſts come, or are ſuppoſed to come, in competition, be obliged to decide in favor of the more powerful Kingdom. And the greater the diſparity of power and riches, the greater and more manifeſt will be the partiality; as the experience of a whole century has too fatally evinced. But to aim at an abſolute ſeparation of the Britiſh Crowns, would be a raſh and romantic project. If in former ages the Scots were ſcarcely able with the moſt heroic exertions to maintain their independency, how could it be imagined poſſible now that England had acquired ſuch an immenſe preponderance in the ſcale of power? Were they to ſeek for refuge or ſecurity in the revival of the ancient league with France? This would of itſelf be a virtual declaration of hoſtility againſt England, and probably accelerate that cataſtrophe which it was

its profeſſed object to avert. The policy of Europe would undoubtedly prevent any effectual interference of France in their behalf, in oppoſition to England the great bulwark of the liberties of Chriſtendom. By an entire ſeparation from England, the internal tranquillity and domeſtic order of the State would be alſo imminently endangered. Is the Nation prepared for the reception of a new ſyſtem of laws and juriſprudence? Or ſhall we revert to that Gothic Conſtitution of Government, adapted to the rude and barbarous manners of our anceſtors, and productive of perpetual feuds and implacable animoſities—of devaſtation, outrage, and anarchy; and which, previous to the union of the two Crowns, we know the Executive Power did not poſſeſs energy ſufficient to repreſs? If, then, the connection with England cannot be ſafely diſſolved, and if the political relation in which we now ſtand as to that country is the ſubject of juſt and grievous complaint, what remains but to form a permanent union of the two Kingdoms, as well as of the two Crowns, on terms of reciprocal amity and advantage? Of the neceſſity and expediency of a firm and durable union we profeſs indeed an almoſt unanimous conviction: but then it is a federal and not an incorporative union, for which many of our countrymen entertain a zealous and invincible predilection. But this is not the union which England offers to our acceptance, or which ſhe will herſelf accept. A federal union would be productive of no advantage, would remedy no evil. And where is the guarantee for the obſervance of the articles of a federal compact between two nations, one of which is ſo much ſuperior to the other in riches, power and population? Hiſtory demonſtrates that incorporative unions, ſuch as the kingdoms included in the Monarchy of Spain afford an example of, are ſolid and permanent; but that a federal union is a weak and precarious bond of connection, eaſily diſſolved by intereſt or ambition. Sweden and Denmark were once united by a federal compact—But were peace and concord the reſult of this compact? No—it was the parent of ſtrife, of enmity and oppreſſion; and it terminated in ſcenes of blood and ſlaughter, and in everlaſting ſeparation. Let us not then amuſe ourſelves with words inſtead of things. By an union of kingdoms, I acknowledge I comprehend nothing ſhort of an union of power, of government, and of intereſt.

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Till both Nations are thus incorporated into one, England will neither extend to us the benefits of her commerce, nor the protection of her arms. By this union, Scotland will be put into the immediate poſſeſſion of advantages to which ſhe could never otherwiſe attain. The ſources of proſperity will be opened to her view, and placed within her reach. We ſhall have ample ſcope for the exerciſe of our national induſtry in all its branches. To the vain ambition of independence, to the mere deluſive phantom of royalty, will ſucceed the flouriſhing arts of peace; and Scotland will, by a policy founded on true wiſdom, acquire that ſecurity and happineſs which form the great and genuine end of government. We ſhall, with a juſt increaſe of confidence, ſee our liberty, property, and religion placed under the guardian care and protection of one Sovereign and one Legiſlature: and every branch of the empire, every part of the body politic, be it ever ſo remote from the ſeat of Government, will participate in the univerſal proſperity, under the beneficial influence of the ſame equitable and liberal ſyſtem of polity, and in the enjoyment of the ſame civil rights and commercial advantages, in proportion to the value of its natural products, and the vigor and perſeverance of its own laudable and voluntary exertions."

Notwithſtanding the good ſenſe and political rectitude of theſe reaſonings, ſuch was the violence with which the Treaty of Union was oppoſed in the Scottiſh Parliament, and ſuch the commotion which it excited in the Kingdom, that the Duke of Queenſberry, High Commiſſioner, abſolutely deſpaired of ſucceſs, and was deſirous of adjourning the Parliament, till by time and management he ſhould be able to obviate thoſe formidable difficulties. But the Lord Treaſurer Godolphin, who ſaw that the meaſure would be loſt by delay, urged him to perſiſt in his exertions, which were at length crowned with ſucceſs. The Duke of Athol, and the Oppoſition in general, had reſolved to have recourſe to a forcible diſſolution of Parliament: but their deſigns were rendered abortive by the irreſolution or treachery of Hamilton; for, though the language of this great and popular Nobleman in Parliament was extremely vehement, his conduct was altogether inconſequential and indeciſive. After urging the

party

party in oppoſition not to look back upon what might have been done amiſs, but now at laſt to unite their efforts to ſave the Nation, which ſtood on the brink of ruin, he propoſed at a general meeting a daring Proteſtation againſt the Union, "which," he ſaid, "if the Engliſh did not deſiſt from proſecuting, they muſt have recourſe to ARMS and call over the KING." All who were preſent expreſſed their concurrence; and a day being fixed for preſenting the Proteſtation, the Duke pretended to be taken ill. But in conſequence of the expoſtulations of his friends on his ambiguous and fluctuating conduct, ſo nearly reſembling that of his grandfather in the reign of Charles I. he was prevailed upon to go to the Parliament-houſe; but being there ſeized with another paroxyſm of terror, he abſolutely refuſed to preſent the Proteſtation, and promiſed only to be the firſt adherer. Laſtly, to complete his ſyſtem of duplicity, he himſelf moved that the Queen ſhould have the nomination of the Commiſſioners. Aſtoniſhed at this ſtrange conduct, many of the Jacobite party ruſhed in deſpair out of the Houſe, exclaiming aloud, "Betrayed! betrayed!" After which the Treaty met with comparatively little oppoſition *.

The Commiſſioners had been expreſsly reſtrained by their inſtructions from treating on the ſubject of religion—this being a matter of ſuch high import, that it was deemed proper to refer it altogether to the wiſdom of Parliament. An Act was accordingly prepared for ſecuring the Preſbyterian Government of the Church of Scotland, which, in the hope of throwing an additional obſtacle in the way of the Union, the diſaffected Epiſcopal and Jacobite party contributed all their influence to render as ſtrong and pointed as poſſible: and it was declared an eſſential part of the Act of Union, to be ſubſequently ratified by the Engliſh Parliament; which, to the chagrin and ſurpriſe of the faction in Scotland, the Whigs of England, careleſs of the intereſts of Scottiſh Epiſcopacy, heſitated not in the ſequel to comply with. But, excluſive of the methods uſed to allay the popular reſentment, and the ſacrifices made to national prejudice, other means were adopted to facilitate the final paſſing of the Act of Union. By the report of the Commiſſioners of Public Accounts, deli-

* Tindal, Macpherſon, Memoirs of Scotland, Burnet, &c.

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vered in ſome years after this time, it appears that the ſum of 20,000l. and upwards was remitted at the preſent juncture to Scotland; which was diſtributed ſo judiciouſly, that the rage of oppoſition ſuddenly ſubſided, and the Treaty, as originally framed, received without any material alteration the ſolemn ſanction of the Scottiſh Parliament—the general queſtion being carried by a majority of 110 voices. And on the 25th of March 1707 the Lord High Commiſſioner adjourned the Parliament, after expreſſing in very warm terms the ſatisfaction he felt in bringing this important affair to perfection.

A ſhort time after the riſing of Parliament, the Duke of Hamilton, who had now become notorious for his duplicity and inconſtancy, tranſmitted a paper to the Court of St. Germaine's, written in his own hand, but neither ſigned nor directed, in which is to be found the following ſingular paſſage—"The D. of H. always flattered himſelf that Lord G. meant well, yet he was for the Union more than can be thought—I know, however, that the Whigs in England have reſolved his ruin, but perhaps he does not know it.—Lord M. has been as zealous for the Union as *he*; which will cauſe the ruin of the Royal Family.—Strange things have paſſed in this Parliament!—Either come with a ſtrong force, or wait the will of God." Upon this declaration it is obvious to remark, that, of all the "ſtrange things" that had paſſed during the ſeſſion, nothing was ſo ſtrange as the Duke's own conduct; and by propoſing two alternatives, one of which he knew to be impracticable, it was evident that he had determined to abide by the other, and wait with patience the MIRACLE of the King's reſtoration—an event which the eager deſire and fond credulity of the Court of St. Germaine's ſtill prompted them to expect.

Seſſion of Parliament in England.

The Parliament of England met on the 3d of December 1706, and voted liberal ſupplies for carrying on the war; but no material incident occurred till on the 28th of January the Queen came to the Houſe of Peers, and informed the Parliament that the Treaty of Union had been ratified by the Parliament of Scotland. The Treaty itſelf, and the proceedings relative to it, being laid before the Houſe of Peers; their Lordſhips,

ſhips, on the motion of the Archbiſhop of Canterbury, ordered a Bill to be brought in for the Security of the Church of England; which being read a firſt and ſecond time, the queſtion was put, whether it ſhould be an inſtruction to the Committee to inſert in the Bill the Act of 25 Charles II. entitled, An Act for preventing the Dangers which may happen from Popiſh Recuſants, commonly called the Teſt. It was reſolved in the negative by a majority of 63 voices againſt 33. The Bill declaring the Acts paſſed in favor of the Church to be in full force for ever, was then made an eſſential part of the Union. But the Houſe avoided the abſurdity chargeable on the Scottiſh Parliament, which pronounced the Government of their Church unalterable; ſince, as was well obſerved, where a ſupreme Legiſlature is once acknowledged, nothing can be unalterable; and it is a manifeſt preſumption, and uſurpation of the rights of ſucceeding generations, for any aſſembly of perſons, however conſtituted, to pretend to fix bounds and limits to the exerciſe of their diſcretion. The Bill, quickly paſſing through both Houſes, received in a ſhort time the royal aſſent.

Articles of the Union ratified by both Parliaments.

On the 4th of February 1707, the Houſe of Commons, in a grand Committee, took into conſideration the Articles of the Union, and Act of Ratification. The propoſitions were ſeverally gone through, and ſucceſſively approved, in a ſpace of time too ſhort to admit of very minute diſcuſſion; and on the 15th of the ſame month they were ſubmitted to the Lords. Many objections were ſuggeſted by the Earls of Rocheſter, Nottingham, Angleſey, &c. but over-ruled—and a Bill for ratifying the ſame was prepared by Sir Simon Harcourt, the Solicitor General, and ſo modelled as, by a very ſingular effort of political dexterity, to preclude any revival of the debate; which the Tories hoped and expected to reſume at more leiſure, and with greater effect. For it was ſo contrived, that the articles of the Treaty as finally approved and ratified, together with the Bills for ſecuring the two National Church Eſtabliſhments, ſhould be recited in the preamble of the Act, and the whole converted into a law by a ſingle enacting clauſe. The Tories being thus reduced to the neceſſity of combating the general clauſe, and that alone, the recital being merely

matter

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matter of fact; the Act paſſed triumphantly and with great facility through both Houſes, and immediately received the royal aſſent—the Queen making upon the occaſion a ſpeech, in which ſhe declared it to be her peculiar happineſs, that an object had been accompliſhed in her reign, which in the courſe of above 100 years had been ſo repeatedly attempted in vain. The Parliament was prorogued on the 30th of April, and on the ſucceeding day, agreeably to the Union-Act, the two Nations of England and Scotland were indiſſolubly incorporated into one Kingdom—ever afterwards to be known by the appellation of Great Britain. On this occaſion, congratulatory Addreſſes were ſent up from all parts of England; but the Scots obſerved a ſullen and expreſſive ſilence. Various promotions alſo took place at this period. The Marquis of Montroſe and the Earl of Roxburgh were created Dukes in Scotland; Lord Cowper was declared Lord High Chancellor; the Earl of Stamford, Firſt Lord of Trade; &c. But by far the moſt remarkable change had been made in the courſe of the ſeſſion by the diſmiſſion of Sir Charles Hedges, Secretary of State, and the transfer of the Seals to the Earl of Sunderland, who had lately ſucceeded to that title on the death of his father, and who was nearly allied to the Duke of Marlborough by marriage with his ſecond daughter. This promotion ſeemed very favorable to the intereſt and influence of the Whigs, by whom it was earneſtly deſired; but it proved in reality far otherwiſe. The Queen parted with Sir Charles Hedges, for whom ſhe entertained a great eſteem, with extreme reluctance, and not till after much importunate ſolicitation; and ſhe retained a permanent reſentment of the force and conſtraint which ſhe acted under upon this occaſion. In the month of October the Duke of Marlborough had written to the Ducheſs to urge this matter upon the Queen, which ſhe had the folly and indiſcretion to do in a ſtyle of ſingular inſolence. She pretended that the Lords Godolphin and Marlborough would, in conſequence of the Queen's partiality to the Tories, be under the neceſſity of leaving her ſervice. "You will then," ſaid the Ducheſs, "find yourſelf in the hands of a violent party, who, I am ſure, will have very little mercy, or even humanity, for you: whereas you *ought* to prevent all theſe misfortunes by giving

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Diſmiſſion of Sir Charles Hedges.

giving my Lord Treaſurer and my Lord Marlborough, whom you may ſo ſafely truſt, leave to propoſe thoſe things to you which they know and can judge to be abſolutely neceſſary for your ſervice."

About this period a new Favorite had ariſen in the Court—Mrs. Maſham, a relation of the Ducheſs of Marlborough, and introduced by her to the Queen; over whom ſhe had, by her ſoft and inſinuating manners, ſo oppoſite to the imperious deportment of the Ducheſs, acquired ſuch an aſcendency, that her Grace was abſolutely ſupplanted before ſhe was appriſed of the danger. Mrs. Maſham had formed a ſtrict connection with the Secretary of State, Harley, who had in conjunction with her formed a project of raiſing himſelf to the ſummit of power on the ruins of the preſent Miniſtry, whoſe whole ſyſtem of politics he found ſecretly diſtaſteful to the Queen. The Secretary had been frequently introduced by the Favorite to private audiences of the Queen, in which he repreſented to her, who was extremely jealous of her authority, the political thraldom in which ſhe was held by the Marlborough family; and he practiſed on the goodneſs and humanity of the Queen's diſpoſition, by reprobating the boundleſs ambition and avarice which prompted the General to continue a war ſo fruitful of miſery and calamity—a war, which might indeed be neceſſary to his greatneſs, but which it would be eaſy to terminate on very advantageous and honorable terms for the Sovereign and Nation. The advancement of Sunderland would of courſe tend to ſtrengthen that influence, which the Queen had now learned to dread; and the perſonal conſequence of Harley, who feared not the competition of Sir Charles Hedges, would be greatly eclipſed by the promotion of a man of Sunderland's high rank, connections and political ability, of which he had already given in a late Embaſſy to Vienna very demonſtrative proofs. After a long and obſtinate reſiſtance, the Queen thought proper to yield the point in conteſt; and the Earl of Sunderland was declared Secretary of State in December 1706. But from this moment the Marlborough intereſt was undermined, and in imminent danger of eventual ſubverſion.

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Embaſſy of the Duke of Marlborough to the King of Sweden. Campaign in Flanders and Germany, A. D. 1707. *Unſucceſsful Attempt on Toulon. Battle of Almanza. Shipwreck of Sir Cloudeſley Shovel. Firſt Parliament of Great Britain convened. Debates reſpecting the War in Spain. Privy Council of Scotland aboliſhed. Secretary Harley diſmiſſed. Whigs loſe the Favor of the Queen. Invaſion of Scotland by the Pretender. Campaign in Flanders, &c.* A. D. 1708. *Battle of Oudenard. Conqueſt of Liſle. Sardinia and Minorca reduced. Singular Conteſt with the Court of Ruſſia. Death of the Prince of Denmark. Seſſion of Parliament. Act of Grace. Conferences for Peace opened at the Hague. War becomes unpopular in England. Campaign in Flanders,* A. D. 1709. *Battle of Malplaquet. Military Operations in Spain. Extraordinary Defence of the Caſtle of Alicant. King of Sweden defeated at Pultowa. New Overtures of Peace made by France. Seſſion of Parliament. Trial of Sacheverel. Great Popularity of the Tories. Entire Change of Adminiſtration. Conferences of Peace revived at Gertruydenberg. Campaign in Flanders,* A. D. 1710.—*and in Spain. Victories of Almanara and Saragoſſa. Reverſe of Fortune. Diſaſter at Brihuega. Seſſion of Parliament. Violence of the Tories. Proceedings of the Convocation againſt Whiſton. Death of the Emperor Joſeph. State of Politics on the Continent. Campaign in Flanders,* A. D. 1711. *Capture of Bouchaine. Archduke Charles elected Emperor. Naval Tranſactions. Ill-concerted Attempt againſt Quebec. Clandeſtine Negotiations with France. Seſſion of Parliament. Occaſional Conformity Bill paſſed. Duke of Marlborough diſmiſſed from his Employments. Creation of Twelve Peers. Debates on the Barrier Treaty. Scottiſh Toleration Bill. Congreſs held at Utrecht. Campaign,* A. D. 1712, *in Flanders. Fatal Ceſſation of Arms.*

Diſaſters of the Allies. Treaty of Utrecht ſigned. Seſſion of Parliament. Attempt to diſſolve the Union. Debts of the Crown diſcharged. Miniſterial Diſputes and Cabals. Affairs of Ireland. State of Europe. Treaty of Al-Raſtadt. Seſſion of Parliament. Debates on the Danger of the Proteſtant Succeſſion. Writ demanded for the Electoral Prince. Death of the Princeſs Sophia. Schiſm Bill paſſed. Diſmiſſion of the Earl of Oxford. Death of the Queen. Review of her Character.

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Embaſſy of the Duke of Marlborough to the King of Sweden.

IN the ſpring of the preſent year, 1707, the Duke of Marlborough, whoſe talents were equally adapted to the Cabinet and the Field, was inveſted with a very important embaſſy to the King of Sweden. This Monarch, after forcing, as has been related, the Daniſh Court to a ſeparate peace at Travendahl, paſſed over into Ingria, where the Czar Peter was engaged in the ſiege of Narva at the head of an army of 80,000 Ruſſians. Leading without heſitation to the attack a body of troops not exceeding 10,000 men, he gave him a total and memorable defeat. Believing the Swediſh provinces on that ſide ſecure, and deſpiſing ſo imbecile an enemy, he advanced into Livonia, and compelled the King of Poland to raiſe the ſiege of Riga. Afterwards attacking the united army of Poles and Saxons on the banks of the Dwina, he forced the paſſage of that river with great ſlaughter; and, penetrating into the heart of the Kingdom, by a ſeries of aſtoniſhing ſucceſſes, made himſelf maſter of Cracow and Warſaw; and, being animated by an implacable animoſity againſt King Auguſtus, he cauſed a Diet to be aſſembled, by whom the depoſition of that Monarch was pronounced, and Staniſlaus Leckzinſki, a Poliſh Palatine of great merit and accompliſhments, elected King of Poland in his ſtead. The unfortunate Auguſtus, retiring into Saxony, was purſued thither alſo by his relentleſs antagoniſt, who reduced the whole Electorate, Dreſden excepted, to unconditional ſubmiſſion, levying immenſe contributions upon the inhabitants, and diffuſing terror throughout all the neighboring States, and even the Imperial Court of Vienna itſelf. A Treaty was at length ſigned at Alt-Ranſtadt, between the Kings of Sweden and Poland; by which the latter relinquiſhed his pretenſions to the Poliſh diadem in favor of Staniſlaus—retaining the mere

empty

empty title of King, and ſtipulating only for the reſtitution of his Electorate. The King of Sweden nevertheleſs ſtill remained with his army in Saxony, where his conduct was ſuch as to occaſion great umbrage to the Allies, and more particularly the Emperor, whom he treated with great haughtineſs and diſdain. The Swediſh Envoy at Vienna, Baron Strahlenheim, having received an affront from a Hungarian Nobleman, Count Zobor, the King of Sweden inſiſted upon the Count's being delivered up to him; alſo upon the abſolute ſurrender of the Ruſſian troops who had eſcaped from the defeats in Poland into Germany, and had been entertained in the Imperial armies; and of thoſe officers who had obſtructed the Swediſh levies in Sileſia. Count Wrattiſlau being nominated Ambaſſador to the King of Sweden, Count Piper, Firſt Miniſter to his Swediſh Majeſty, wrote to him, ſaying "that if he came with power to give his maſter real ſatisfaction, he would be welcome; but that if he only came to enter into a diſcuſſion of his Swediſh Majeſty's pretenſions, he might ſave himſelf the trouble of that journey:" and upon the Count's ſubſequent arrival at Alt-Ranſtadt, the King refuſed to admit him to an audience. The demands of Sweden were now enlarged and multiplied into divers diſtinct articles, of which the moſt remarkable were, that the Proteſtant religion in Sileſia be reſtored, according to the Treaty of Weſtphalia; that his Imperial Majeſty ſhould renounce all pretences to the quota which the King of Sweden, as Prince of the Empire, had omitted to furniſh during the preſent war; and that the whole Swediſh army, on their return to Poland, ſhould be maintained at the Emperor's charge: all of which the Court of Vienna was ultimately compelled to ratify. Surpriſe being expreſſed by ſome of the Courtiers at his Imperial Majeſty's yielding to the article reſpecting the reſtoration of Proteſtantiſm in Sileſia, the Emperor replied, "that it was fortunate the King of Sweden did not inſiſt upon his turning Proteſtant himſelf."

In the height of this diſpute, and while the moſt ſerious apprehenſions were entertained that a rupture might take place, ſo injurious to the intereſts of the Allies, the Duke of Marlborough arrived in Saxony upon an oſtenſible embaſſy of compliment, but with a hidden purpoſe to diſcover

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the real intentions of the King of Sweden, and, by thoſe arts of inſinuation and addreſs of which he was ſo great a maſter, to conciliate his favor and regard. Being conducted by Count Piper with diſtinguiſhed marks of honor into the King's preſence, he preſented to that Monarch a letter from the Queen of England, written with her own hand: and knowing the weakneſs of the King's character with reſpect to flattery and the extravagance of his pride, ill concealed under a guiſe of ſimplicity and modeſt reſerve, he declared, "that, had not the ſex of the Queen of England, his Miſtreſs, prevented, ſhe would have croſſed the ſea to viſit a Prince admired by the whole univerſe."—His Grace added, "that he eſteemed himſelf honored in making theſe aſſurances; and that he ſhould think it a great happineſs if his affairs would allow him to learn under ſo great a General as his Majeſty, what he yet wanted to know in the art of war." To this ſpeech the King of Sweden replied, "that he ſhould always have the utmoſt regard for the interpoſition of the Queen of Great Britain and the intereſts of the Grand Alliance—that her Majeſty might be aſſured his deſign was to depart hence, as ſoon as he had obtained the ſatisfaction he had demanded—and that he ſhould do nothing which might tend to the prejudice of the common cauſe in general, or to the Proteſtant religion in particular, of which he ſhould always glory to be a zealous protector." He then invited the Duke to dinner, placing him on his right hand, and Count Piper on the left: after which the Duke retired with the King and the Count into the audience-room, where a long and intereſting conference took place; during which the Duke, as we are told, often fixed his eyes attentively on the King. When France was mentioned, he perceived ſymptoms of diſguſt and averſion: and, when the conqueſts of the Allies were touched upon, of ſatisfaction and pleaſure. When he named the Czar, the King's countenance was inflamed, and his eyes ſparkled with anger. He moreover remarked, that the King had a map of Muſcovy lying before him on the table. Hence he inferred, that the real object of the King's ambition was to dethrone the Czar, as he had already done the King of Poland—that he entertained no deſigns inimical to the Allies, and meant only to impoſe ſome hard terms upon the Emperor, with which the Court of Vienna would be obliged to comply; and, ſatisfied with

with the juſtneſs of theſe concluſions, he retired from the King's preſence without making any ſpecific propoſal*. After receiving the higheſt marks of diſtinction which this ferocious Monarch ever perhaps conferred upon any individual, he took his leave of the King, and, paſſing through the Courts of Berlin and Hanover, arrived at the Hague, May the 8th 1707. BOOK VI. 1707.

After the ſucceſsful campaign of 1706, the moſt ſanguine expectations were entertained that France, whoſe pride was now humbled in the duſt, would no longer be able to make any effectual reſiſtance; and that the Allies, as victors, might in a ſhort time dictate the terms of peace with the point of the ſword. The operations of the enſuing ſummer did not however in any degree tend to confirm theſe lofty ideas. The Duc de Vendome, who was re-appointed to the command in Flanders, choſe his poſts with ſo much ſkill and judgment, that the Duke of Marlborough could not without manifeſt raſhneſs venture upon an attack. This was the only campaign during the war, in which that great Commander did not obtain ſome ſignal advantage over the enemy; and the French General, whoſe policy it was to act upon the defenſive, fully ſuſtained his high reputation, by thus putting, after his Grace's long career of victories, a ſudden and total ſtop to the progreſs of his arms. Campaign in Flanders,

On the banks of the Rhine Marechal Villars met with conſiderable ſucceſſes. The Margrave of Bareith, who was appointed to the command of the Imperialiſts on the death of the Prince of Baden, found himſelf ill able to oppoſe his progreſs. The French army, having paſſed the Rhine at Straſburg, forced the lines at Stolhoffen, eſteemed the rampart of Germany, laid the Dutchy of Wirtemberg under contribution, made themſelves maſters of Suabia, and penetrated to the Danube. But when Marechal Villars was meditating meaſures which might change the whole face of the war, he was compelled to weaken his army by ſending great detachments into Provence. Towards the end of the campaign the Elector of Hanover, at the earneſt requeſt of the Emperor and the Empire, and Germany.

* Voltaire, Lamberti, Burnet, &c.

aſſumed

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aſſumed the command of the Imperial army, which he conducted with much judgment and prudence. And Count Merci having ſurpriſed and defeated the Marquis de Vivans at Offenburg, M. de Villars was forced to abandon his ſplendid projects, and repaſs the Rhine by Fort Louis into Alſace.

Unſucceſsful Attempt on Toulon.

The diſappointment ſuſtained by the Allies on the ſide of Italy was proportionate to the high and confident hopes which had been previouſly excited. In the month of July (1707) Prince Eugene and the Duke of Savoy paſſed the Var at the head of 30,000 men, and marched directly towards Toulon, to which they laid cloſe ſiege. As the principal naval magazines of France, and the greater part of its fleet, were incloſed within its walls or its habor, this enterpriſe excited a general conſternation. The place was however defended with the moſt heroic valor; and Prince Eugene was ſuſpected, from his unuſual caution, to act under the reſtraint of ſecret orders. An enterpriſe which the ſpirit of adventure approaching to raſhneſs, only could render ſucceſsful, was protracted into length: and troops being aſſembled from all parts in great force for its relief, the Duke of Savoy, who feared leſt his retreat to Italy ſhould be intercepted, thought proper to raiſe the ſiege with precipitation, and to repaſs the Var, without any acquiſition of honor or profit from this undertaking, into his own dominions. Great blame was upon this occaſion imputed to the Emperor, who, careleſs and indifferent to the ſucceſs of an enterpriſe from which he could reap no benefit, had detached a large body of troops, originally deſtined for this purpoſe, to the kingdom of Naples, of which he effected a complete conqueſt: and this was the only advantage gained by the Allies during this unfortunate campaign, of which the moſt diſaſtrous events ſtill remain to be narrated.

If, on the ſide of Lombardy, Germany, and Flanders, the wiſhes and expectations of the Allies were not ſatisfactorily anſwered, in Spain they ſuffered a fatal reverſe. Don Pedro King of Portugal had departed this life December 9, 1706, and was ſucceeded by his ſon Don Juan V. who declared that he would religiouſly obſerve all the engagements of his father. In a council of war, held at Valencia, February 1707, it was reſolved

ſolved by the Marquis Das Minas and the Earl of Galway, on the ſtrength of the re-inforcements lately arrived from England, to act offenſively, ſeek out the enemy, and endeavor to bring them to battle. The Earl of Peterborough, who had now returned to Spain, gave indeed his opinion in favor of a defenſive campaign; but this was by his enemies, and they were numerous, aſcribed merely to envy and hatred of the Earl of Galway, a General of great military ſkill and experience—of unimpeached integrity, of heroic valor, and remarkable for the modeſty of his diſpoſition and the ſuavity of his manners—and whoſe higheſt eulogium it was, that he poſſeſſed the entire affection, friendſhip, and confidence of that ſagacious obſerver and penetrating judge of men, the late King WILLIAM.

Battle of Almanza.

In conſequence of the reſolution actually taken, the Confederate army moved with their whole force to Yecla, where the Duke of Berwick had formed a grand depot of proviſions and ſtores, which he abandoned at their approach. Encouraged by the unexpected and precipitate retreat of this General, they advanced to Portalegre, with a view to ſurpriſe him in his camp. But before this deſign could be effected, intelligence was received that the Duke, being joined by the re-inforcements he looked for, was on his march to attack the Allies. Both armies being now equally diſpoſed to try the event of a battle, the Earl of Galway proceeded, April 14 (1707), to the plains of Almanza, where he found the enemy, far ſuperior in number, drawn up and ready to receive him. The action extended from wing to wing. The centre of the Allied army, compoſed of Engliſh and Dutch infantry, fought with the greateſt gallantry, and drove the enemy before them. But the right wing, conſiſting entirely of Portugueſe troops, commanded by the Marquis Das Minas in perſon, fled at the firſt onſet—and the left, where the Engliſh and Dutch cavalry were poſted, after incredible efforts of valor yielding to ſuperior force, the Duke of Berwick ordered his two wings to attack the main body in flank. But the Generals of infantry, forming the battalions into a hollow ſquare, retired from the field of battle with inconſiderable loſs. But night quickly came on. They were ſtrangers to the country, and did not know where to retire for ſafety. After marching nine hours, and fighting

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ing about ſix, they could move no farther. They had ſpent their ammunition, and had not ſo much as bread and water to refreſh themſelves with. Beſides this, they expected to be attacked next morning by the enemy, againſt whom they could make no effectual reſiſtance, being totally abandoned by the cavalry. In theſe forlorn and deſtitute circumſtances, they came to the deſperate reſolution of ſurrendering themſelves priſoners of war, to the amount of 23 entire battalions. The Duke of Berwick is ſaid to have been aſtoniſhed, and ſcarcely to have credited the officer who brought the meſſage. The Portugueſe, and part of the Britiſh cavalry, with the foot that guarded the baggage, made good their retreat to Alcira, where the broken remains of the army mournfully aſſembled, after ſuſtaining a loſs of 14,000 men, excluſive of 800 officers; with all the artillery, equipage, ammunition, and ſtandards. Das Minas made an early eſcape with the Portugueſe cavalry to Xativa, and the Earl of Galway, who charged, firſt, as General, at the head of the left wing, and then as a volunteer in Fabreque's regiment of dragoons, retired reluctantly from the field, after receiving a dangerous wound on the head with a ſword. The day after the battle the Duke of Orleans arrived to take the command of the Spaniſh army, which had now acquired the moſt deciſive ſuperiority: and though the Earl of Galway did all that an active and able General could to retrieve ſo great a misfortune, and compenſate for the error into which he had been led by the exceſs of his zeal; yet Arragon and Valencia were gradually evacuated, and the campaign concluded with the ſiege and capture of Lerida.

Shipwreck of Sir Cloudeſley Shovel.

The naval hiſtory of the preſent year alſo, from cauſes impoſſible for human wiſdom to guard againſt, is moſt diſaſtrous. From the period of the diſmiſſion of Sir George Rooke, Sir Cloudeſley Shovel had commanded in the Mediterranean with high reputation—co-operating, agreeably to his orders, with the Duke of Savoy in the ſiege of Toulon, where, by univerſal acknowledgment, he performed all that could be expected from a great naval officer. He made himſelf maſter of two forts at the entrance of the harbour, he kept up a tremendous bombardment on the town, and deſtroyed or compelled the enemy to deſtroy not leſs than twenty ſhips of

of war lying there, near half of which were of the line of battle. On the miſcarriage of this expedition he left a ſtrong ſquadron under the command of Sir Thomas Dilkes for the Mediterranean ſervice, and ſailed from Gibraltar with the reſt of the fleet, conſiſting of fifteen ſail of the line, for England. On the 22d of October 1707, he had 90 fathom water in the ſoundings, and brought the fleet to, the weather being extremely hazy. Towards evening a freſh and apparently favorable gale ſpringing up, he made the ſignal for ſailing, ſuppoſing the Channel to be open. But by eight o'clock ſignals of diſtreſs were made by ſeveral of the fleet, who found themſelves, to their aſtoniſhment, upon the rocks to the weſtward of Scilly. The Aſſociation, in which Sir Cloudeſley himſelf hoiſted his flag, ſtruck and inſtantly foundered with all the crew; as alſo the Eagle and Romney. The Royal Anne was ſaved by an extraordinary preſence of mind and activity in Sir George Byng and his men, who ſhifted the ſails when within a ſhip's length of a rock to the leeward. Lord Durſley in the St. George had, if poſſible, a ſtill more miraculous eſcape; for his ſhip was daſhed on the ſame ridge of rocks with the Aſſociation: and the ſame wave which was perceived to be fatal to the latter, ſet the St. George again afloat. Sir Cloudeſley Shovel's body, being the next day with many others caſt on ſhore and found on the ſtrand, was carried to London and interred in Weſtminſter Abbey, where a monument was erected in memory of this renowned Admiral, who ranks amongſt the greateſt ſea-commanders of that or any other age. Of undaunted reſolution and intrepidity, he was at the ſame time eminent for generoſity, frankneſs and integrity. Unverſed in the wiles and machinations of Courts, he was uniform and conſiſtent in his zeal for the liberty, and in his attachment to the religion, of his country. This great man was the artificer of his own fortune, and, by his perſonal merit alone, from the loweſt beginnings roſe to the higheſt ſtation in the navy. His loſs was regarded as national, and his tomb was conſecrated by the tears of his country. This terrible calamity was ill compenſated by the accounts which at this period arrived of the total deſtruction of the French fiſheries at Newfoundland—ſeveral frigates on that ſtation being taken or burnt, and upwards of 300 boats demoliſhed, with 70,000 quintals of fiſh.—Such are the triumphs of war!

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On the other hand, the French Admirals Fourbin and Du Guai Trouin attacked the Portugal and Weſt India fleets with ſucceſs, and captured ſeveral line-of-battle ſhips of the convoy.

First Parliament of Great Britain convened.

The firſt Parliament of Great Britain was convened on the 23d of October 1707, when all the forms uſual in the beginning of a new Parliament were obſerved, and Mr. Smith was re-choſen Speaker. Freſh aſſurances were given of the reſolution of the two Houſes to ſupport the Queen in the vigorous proſecution of the war; and after much fruitleſs inveſtigation into the cauſes of the recent misfortunes in Spain, the Lords and Commons joined in a reſolution and addreſs, "that no peace could be ſafe or honorable for her Majeſty and her Allies, if Spain and the Weſt Indies were ſuffered to continue in the power of the Houſe of Bourbon." To which the Queen replied, "that ſhe was fully of opinion, that no peace could be ſafe till the entire Monarchy of Spain were reſtored to the Houſe of Auſtria."—The Tories were unanimous in magnifying the ſervices of the Earl of Peterborough, who being juſtly in diſfavor with the Miniſters, for his extravagant and eccentric behaviour, and lately recalled by them, now threw himſelf upon the protection of the oppoſite party. The Whigs, on the other hand, vindicated the Earl of Galway, who publiſhed an excellent narrative of his own conduct, in anſwer to the accuſations brought againſt him by Lord Peterborough. Complaints were in return made againſt the accuſer, and letters of the King of Spain produced ſufficiently manifeſting the diſſatisfaction he had felt at the Earl of Peterborough's proceedings. Upon which the Earl brought ſuch a number of papers and ſo many witneſſes to the Bar to juſtify his conduct, that the Houſe, after ſitting day after day for near a fortnight, and waſting their time in endleſs readings and examinations, grew weary of the buſineſs—and, perceiving that the longer they inveſtigated the more they were puzzled and perplexed, the whole buſineſs was ſuffered to fall to the ground without coming to any vote or reſolution reſpecting it.

Debates reſpecting the war in Spain.

Privy Council of Scotland aboliſhed.

A remarkable debate took place during this ſeſſion, relative to Scotland. Notwithſtanding the union of the Legiſlatures, it was ſtill a doubt whether

ther a diſtinct Executive Government ſhould not be maintained in that kingdom. But the Houſe of Commons were determined againſt it, and a Bill was introduced, and paſſed by a great majority, "for rendering the Union of the two Kingdoms more entire and complete;" by which it was poſitively enacted, "that there ſhould be but one Privy Council in the Kingdom of Great Britain. The utmoſt influence of the Court was exerted againſt this Bill when ſent up to the Houſe of Lords, where it paſſed at length with great difficulty, and to the extreme diſcontent of the Miniſters, or rather the Courtiers, on a cloſe diviſion of 50 to 45 voices.

Secretary Harley diſmiſſed.

Early in February 1708 happened an important change in the Adminiſtration, by the diſmiſſion of Mr. Harley, Secretary of State, and the promotion of Mr. Boyle, Chancellor of the Exchequer, to that office; who was ſucceeded by Mr. Smith, Speaker of the Houſe of Commons. Mr. St. John, Secretary at War, and Sir Simon Harcourt, Attorney General, choſe to follow the fortunes of Mr. Harley, and reſigned their places; the former of which was given to Mr. Robert Walpole, now diſtinguiſhed for his great Parliamentary talents and capacity for buſineſs: and Sir James Montague was made Attorney General. The Lords Godolphin and Marlborough had for a long time paſt been very uneaſy at the ſecret practices of the late Secretary, and the dangerous intrigues carrying on by him in conjunction with Mrs. Maſham. At length they avowed their determination to ſerve the Queen no longer, if he was continued in that poſt. The Queen endeavored in vain, by the moſt ſoft and ſoothing expreſſions, to divert them from this reſolution; and being herſelf equally inflexible, theſe great Noblemen, to the aſtoniſhment of all, actually withdrew from Court. Shortly after, the Queen, greatly indignant, repaired to the Cabinet Council, where Mr. Harley attempted to ſtate ſome particulars relative to foreign affairs; on which the Duke of Somerſet ſaid, "he did not ſee how they could deliberate on ſuch matters in the abſence of the General and the Treaſurer." The other Members preſent plainly acquieſcing in this ſentiment, the Council broke up in diſorder; and the

The Whigs loſe the favor of the Queen.

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Queen, ſending for the Duke of Marlborough, told him Mr. Harley ſhould reſign; which he did within two days. But from this æra the Queen harbored the deepeſt reſentment againſt the Duke and the Treaſurer, and manifeſted an incurable alienation from the Whigs.

It is a ſubject of mere ſpeculation, how far the Queen might in time have been incited to adopt new meaſures and new counſels to the prejudice of that party, if ſhe had not been thus impoliticly urged and irritated. Certain it is, that the Ducheſs of Marlborough, who had ſo many years poſſeſſed an abſolute aſcendent over her mind, now no longer retained the ſmalleſt degree of influence. But the Queen, who at preſent feared as much as ſhe had once loved her, was ſtill anxiouſly deſirous of keeping up appearances, and of maintaining a civil correſpondence. Nothing is more difficult than to recover affection which from any cauſe has fallen into the wane. The natural progreſs is from coldneſs to diſlike. But the conduct of the Ducheſs, when ſhe diſcovered that the Queen's partiality was transferred to another, was that of a woman frantic with rage and jealouſy. Tears, ſolicitations, upbraidings, reproaches, ſucceeded each other without intermiſſion, till ſhe made herſelf equally the object of hatred and contempt. But till the forcible reſignation of Harley there is no good ground to believe that the Queen entertained any ſerious thoughts of a political change: her only object ſeems to have been, to aſſert the privilege of having a few perſons about her, to whom ſhe could talk freely and confidentially; and to whom, however hopeleſs of relief, ſhe could make her complaints and expreſs her reſentment of the hard conſtraints impoſed upon her. Even after the diſmiſſion of Harley, her eaſy and timid diſpoſition probably would not have harbored the idea of exerting ſo mighty an effort as was neceſſary to throw off the yoke of the Marlborough connection, if ſubſequent circumſtances had not in a remarkable and unexpected manner favored a revolution in politics. In a letter written to the Ducheſs of Marlborough, in the month of October 1707, in anſwer to the menaces thrown out by the General and Treaſurer, the Queen ſays: "I never did nor ever will give them any juſt reaſon to forſake me; and they have too much

much honor, and too ſincere a love for their country, to leave me without a cauſe: and I beg you would not add that to my other misfortunes, of puſhing them on to ſuch an unjuſt and unjuſtifiable action." She even condeſcended, in a ſubſequent letter to the Ducheſs, to uſe the fondeſt language, ſummoning up perhaps all the remains of her former affection, and entreating her "to baniſh all unkind and unjuſt thoughts." Her extreme earneſtneſs gives a degree of pathos to her expreſſion. "Indeed," ſays the Queen to her imperious friend, "I do not deſerve them; and if you could ſee my heart, you would find it as ſincere as tender, and paſſionately fond of you as ever, and as truly ſenſible of your kindneſs in telling me your mind freely upon all occaſions. Nothing ſhall ever alter me." But the Ducheſs, far from adopting that mild and conciliatory mode of conduct which could alone relumine the almoſt extinguiſhed affection of the Queen, or ſecure her own intereſted purpoſes, perſevered in treating her with a violence and rudeneſs of deportment which in a ſhort time enſured a complete victory to her rival Mrs. Maſham. But theſe are particulars which, however accidentally connected with general politics, ſeem ſomewhat trifling and frivolous—rather appertaining to the Memoirs of a Court, than to the Hiſtory of a Nation.

Invaſion of Scotland by the Pretender.

Shortly after this breach at Court the Nation was alarmed with the news of an invaſion. Encouraged by the daring ſpirit of faction and diſaffection now prevailing in Scotland, incited by the earneſt invitations of a prodigious number of perſons of rank and property in that Kingdom, and deſirous perhaps to avenge the inſult he had recently ſuffered at Toulon, the French King at length equipped a powerful armament, with a view of making a deſcent in that Kingdom; on board of which embarked the Chevalier de St. George, ſon of the late King James. Immediately on ſailing from Dunkirk they were cloſely purſued by an Engliſh ſquadron, commanded by Sir George Byng, who captured, near the Frith of Forth, one of their flag-ſhips; and the whole armament was ſo ſcattered and diſperſed in their retreat from the action, that they could not even effect a landing, which might, or rather muſt, at the preſent

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preſent criſis, have been attended with very ſerious conſequences. And, after being toſſed for more than a month in a ſtormy and tempeſtuous ſea, they at laſt found their way back in a ſhattered and diſtreſſed condition to the port of Dunkirk. On this occaſion the moſt firm and vigorous meaſures were taken by the Government—ſuch, however, as ſufficiently demonſtrated the ſenſe it entertained of the magnitude of the danger. The Habeas Corpus Act was ſuſpended—the Abjuration Oath was tendered to all perſons—and thoſe who refuſed it were declared to be in the condition of convict recuſants. A vote of credit paſſed the Houſe of Commons, and twelve battalions of troops were ordered immediately from Flanders. The Queen herſelf, in a ſpeech to both Houſes, informed them of this alarming attempt to invade the Kingdom, and to ſubvert the Government; and declared, for the firſt and the laſt time, as many failed not to remark, "that her firmeſt reliance was placed on thoſe who were chiefly concerned in effecting the glorious Revolution." In this popular Speech, the Chevalier de St. George was, by a new deſignation, ſtyled THE PRETENDER, which term was re-echoed in the numerous addreſſes preſented to the Queen from every part of the kingdom: and by this appellation he was in future uſually diſtinguiſhed. Soon after the termination of this buſineſs, the Parliament, which had now ſitten three years with the higheſt reputation to itſelf and advantage to the public, was diſſolved: and a new Parliament ſummoned to meet in November (1708), in which the Whig intereſt ſtill maintained its aſcendency.

Campaign in Flanders.

The Duke of Marlborough, embarking for Holland on the 29th of March, arrived in a few days at the Hague, where he met with Prince Eugene, with whom and the Grand Penſionary Heinſius, accompanied by the Deputies of the States, he held a long conference reſpecting the future operations of the war. The Duke of Marlborough was inveſted with the dignity of Ambaſſador Extraordinary, whereas Prince Eugene ſuſtained no diplomatic character; conſequently the Duke was entitled to the precedency. But it was remarked that his Grace, on entering the room, took Prince Eugene by the hand, and led him to a place above his own. Such is the indifference or contempt with which men of ele-

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vated minds regard the frivolous diſtinctions of etiquette. Having ſettled the plan of the campaign, theſe two illuſtrious heroes and ſtateſmen repaired to the Court of Herenhauſen, where they were entertained with all thoſe marks of eſteem and regard which their great and ſignal ſervices merited. The Elector was prevailed upon again to aſſume the command of the Army upon the Rhine; and Prince Eugene and the Duke of Marlborough, emulous, not envious, of each other's glory, had the ſatiſfaction to ſerve together in Flanders.

Battle of Oudenard.

The King of France, emboldened by the ſucceſs of the laſt campaign, and confiding in the talents of his General M. de Vendome—though the ſupreme command, to the riſque or rather the ruin of all their meaſures, was veſted in the Duke of Burgundy, eldeſt ſon of the Dauphin—ſeemed this year inclined to act more upon the offenſive: and early in the ſummer the cities of Ghent and Bruges were ſurpriſed by a detachment from the French army; after which the Duc de Vendome ſat down before Oudenard. Prince Eugene, after a ſhort interval of abſence, having now rejoined the army with a great reinforcement from Germany, the Allied Generals advanced with ſwift marches to the relief of that place; on which the enemy raiſed the ſiege with precipitation, and retreated towards the Scheld, which the main body of the French army paſſed at Gaver. The intention of M. Vendome was to attack the Allies when the troops were divided by the river: and he had made his diſpoſitions accordingly. But the pride and ignorance of the Duke of Burgundy fruſtrated this plan, and the French army was thrown into confuſion by a variety of inconſiſtent movements; when the army of the Allies, having croſſed the Scheld without oppoſition, appeared in ſight, and it was too late to think of a retreat. The attack ſoon became general throughout the whole extent of thoſe vaſt armies. The Imperial and Engliſh Generals charging at the head of their reſpective troops with a conduct and valor worthy of their high renown, the French were borne down on all ſides, unable to ſuſtain the ſhock. The Electoral Prince of Hanover had a diſtinguiſhed ſhare in the glory of the day—leading on the Hanoverian cavalry ſword in hand to the attack of the houſehold troops of France with brilliant ſucceſs, whilſt

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the *Pretender*, who accompanied the Duke of Burgundy, and *ſaw* the engagement from the ſteeple of an adjacent village, was amongſt the firſt to quit the field. The brave Veldt-Marechal Auverquerque, though in a languiſhing condition, and worn with the fatigues of thirty campaigns, exerted his expiring vigor on this occaſion, diſplaying all the ardor if not all the activity of youth. The orders of the Duke of Burgundy during the engagement manifeſted the groſſeſt deficiency in military ſcience; but M. de Vendome acted the part of a great commander on this occaſion, rallying in perſon the broken battalions, calling the officers by name, and conjuring them to maintain the honor of their country. The French army was in the end entirely defeated. Night however ſaved them from total ruin; and the Duc de Vendome, ſeeing all hope of retrieval loſt, formed his beſt troops into a rear-guard, with which he ſecured a tolerable retreat. But the loſs ſuffered by the French did not amount, on the loweſt computation, to leſs than 14 or 15,000 men; and above 100 ſtandards and colors were taken. The Marquis de Feuquieres acknowledges, "that the confuſion which pervaded the French army was ſuch, that the troops were neither ſenſible where they fled nor by whom they were conducted;"—and the extraordinary ability and preſence of mind of the Duc de Vendome alone ſuſtained the ſinking fortunes of France.

Conqueſt of Liſle.

In conſequence of this important victory, the Generals of the Allies determined to undertake the ſiege of Liſle, the capital of French Flanders—a town on the fortifications of which Vauban had exhauſted his utmoſt ſkill, and which was defended by a garriſon ſo numerous, commanded by an officer of ſuch experience and valor, the Marechal de Boufflers, that the ſucceſs of the enterpriſe was adjudged extremely doubtful. All the great military talents of the Duc de Vendome were exerted to obſtruct the progreſs of the ſiege, and to avert if poſſible the impending cataſtrophe. He was particularly indefatigable in concerting meaſures for cutting off the convoys, of which the camp before Liſle ſtood in need. And by throwing up entrenchments 70 miles in length, ſtrongly fortified with cannon, he actually ſecured the paſſes of the Scheld, and cut off all

all communication by that river: upon which all things neceſſary for the army and ſiege were in future ſent by the incommodious route of Oſtend. A grand convoy being expected from that place, entruſted to the care of General Webb, with a guard of about 6000 men; the Duc de Vendome detached the Count de la Motte with a body of choſen troops, amounting to 40 battalions and 60 ſquadrons, for the purpoſe of intercepting it. As ſoon as the advanced guard of the Engliſh arrived at the paſs of Wynendale, they perceived the enemy drawn up in the diſtant plain. No ſooner had the Engliſh cleared the defile, than General Webb poſted his ſmall force in the opening contiguous to the wood of Wynendale, planting ſeveral regiments in ambuſcade under cover of the wood on the right and a low coppice oppoſite to the wood on the left. The French, advancing with the utmoſt confidence to the attack, received an unexpected fire on both flanks, which threw their whole line into confuſion. Still, however, preſſing forward, and aſhamed to retreat, they again received the ſame ſalute; and the diſorder increaſed, till the wings were forced upon the centre; and, a general panic taking place, in ſpite of all the efforts of their officers they ſought for ſafety in a precipitate flight, leaving more men dead and wounded upon the field than were equal in number to the whole of the army oppoſed to them. It was allowed by all, that if this great convoy of 800 waggons had been intercepted, the ſiege muſt have been raiſed; ſo that the ſuperior fortune rather than ſkill of the Duke of Marlborough was apparent in ſurmounting this and the other obſtacles which the ability and vigilance of the Duc de Vendome, ſtill more than the unrivalled art of the engineer, continually created. This important town and its citadel at length ſurrendered to the Allied Army, after a reſolute and noble defence, December 10th, to the inexpreſſible chagrin of the French Court, who ſaw the frontier of France by this conqueſt expoſed to the moſt dangerous future attacks. Ghent and Bruges were alſo recovered before the end of the campaign, which terminated only with the year.

The armies on the Rhine were this ſummer commanded by the Electors of Bavaria and Hanover. Both Generals were ſo weak and ſo

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equally ill provided, that they were not able to undertake offenſive operations on either ſide; and after a ſhort and ineffectual campaign, they retired into winter quarters.

The miſcarriage before Toulon did not deter the Duke of Savoy from attempting, during the preſent ſummer, another invaſion of France. Bending his march towards Savoy over Mount Cenis, he ſuddenly turned ſhort; and, eluding the vigilance of M. Villars, made himſelf maſter of Exilles, Fort la Perouſe, and the Citadel, lately erected, of Feneſtrella: by which conqueſts he not only ſecured his own territory from inſult, but gained a free paſſage into the enemy's country. Theſe ſieges drew out into ſuch length, that the ſnow began to fall before Feneſtrella capitulated.

At the end of the diſaſtrous campaign of 1707, the Earl of Galway and the Marquis das Minas had returned under convoy of an Engliſh fleet to Portugal: and in order that the war in Spain might be proſecuted with renewed ſpirit and vigor, the Emperor appointed to the chief command in Catalonia Count Staremberg, a General of tried ability and experience, and ſecond in reputation only to Prince Eugene; and General Stanhope ſucceeded the Earl of Galway in the command of the Engliſh Auxiliaries. The campaign was opened by the Duke of Orleans with the ſieges of Tortoſa and Denia, both of which places ſurrendered after no memorable reſiſtance; the Imperial General not being ſufficiently in force to attempt their relief: and the expectation of recovering their ſuperiority in the field was wholly diſappointed—the whole ſummer paſſing in mere defenſive operations. In the mean time, Sir John Leake made a complete conqueſt of the Iſland of Sardinia, and, in concert with General Stanhope, alſo of Minorca, ſo celebrated for its noble and capacious harbor of Mahon. And the Pope was menaced by the Britiſh Admiral with the bombardment of Civita Vecchia, in return for the aſſiſtance he had publicly afforded the Pretender on his late expedition to Scotland. From this affront, however, the Holy Pontiff was ſaved by the ſeaſonable interpoſition of the Imperial Court in his favor; for his Holineſs

Sardinia and Minorca reduced.

Holineſs had at length, though not without the greateſt reluctance, and in conſequence of the near and alarming approach of the Germanic army from Lombardy towards Rome, recognized the Archduke as King of Spain. BOOK VI. 1708.

In the month of May in the preſent year Commodore Wager, who commanded in the Weſt Indies, ſignalized himſelf by an attack upon the Spaniſh plate-fleet, on its paſſage from Carthagena to Porto Bello. The fight began at ſunſet; and ſoon after it was dark the Spaniſh Admiral blew up with a tremendous exploſion. The Rear Admiral ſtruck about two in the morning, and the Vice Admiral eſcaped in a ſhattered condition. Another large ſhip of 40 guns was run aſhore and burnt, and the remaining ſhips were with difficulty ſaved by the intervention of the dangerous ſhoal off Carthagena, known by the name of the Salmadinas.

Singular conteſt with the Court of Ruſſia.

A ſingular incident happened about this time in London, which was the public arreſt of the Count de Matueof, the Ruſſian Ambaſſador, in the open ſtreet, by certain tradeſmen to whom he was largely indebted. This affair made a great noiſe, all the foreign Ambaſſadors intereſting themſelves as parties in demanding ſignal reparation for ſo groſs an inſult: and the Count declared in a letter to Mr. Boyle, Secretary of State, that if the *criminals* were connived at under any color whatſoever, he ſhould inſtantly depart the Kingdom—leaving to the Czar his maſter the protection of his injured honor. The Queen expreſſed great regret and reſentment at the indignity offered, and ordered a proſecution to be inſtituted againſt the offenders by the Attorney General. But this did by no means ſatisfy the Ambaſſador, who retired into Holland, whence he tranſmitted a letter from the Czar to the Queen, requiring, that *capital puniſhment* be inflicted upon all concerned in this atrocious aſſault. But this deſpotic Monarch, who had acquired ſome ideas of civilization, but none of liberty, was aſtoniſhed to be informed, that in England the laws were no leſs obligatory upon the Sovereign than the Subject, and that *they* authoriſed no ſuch puniſhment. The perſons who committed

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the arreſt were tried in the Court of Queen's-Bench by Lord Chief Juſtice Holt, and found *guilty*. But, on arguing the point of law, the Court was finally compelled to diſmiſs the action. In order, however, to give all the ſatisfaction poſſible to the Czar, an Act was ſubſequently paſſed for ſecuring the privileges of Ambaſſadors and Foreign Miniſters; a beautiful copy of which, finely illuminated and tranſcribed on vellum, was preſented to the Czar by Mr. Whitworth the Engliſh Envoy; who at the ſame time acknowledged and apologized, by the Queen's order, for the previous inſufficiency of the Engliſh laws to puniſh ſo heinous an offence. On which the Czar graciouſly declared his acceptance of the apology, verbally to the Envoy, and alſo by a letter written with his own hand to the Queen; and this embarraſſing buſineſs was finally adjuſted with much good ſenſe and good temper on both ſides.

Death of the Prince of Denmark.

On the 28th of October 1708 died his Royal Highneſs Prince George of Denmark, who had been 25 years married to the Queen. His total want of talents, his unaſpiring diſpoſition and mildneſs of temper very happily combined to qualify him for the peculiarly critical ſtation in which high fortune had placed him, and in which a man of more ſhining abilities and more daring ambition might have proved ſingularly troubleſome and dangerous. The Earl of Pembroke ſucceeded the Prince in the elevated poſt of Lord High Admiral, though already ſuſtaining the offices of Preſident of the Council and Lord Lieutenant of Ireland, both of which he now reſigned. The former was given to Lord Somers, and the latter to the Earl of Wharton. And the Earl of Pembroke finding the buſineſs of the Admiralty too burdenſome, it was after a ſhort interval again put into commiſſion—the Earl of Orford being Firſt Lord Commiſſioner. The Adminiſtration now, therefore, was once more conſtituted entirely of Whigs, who, to outward appearance, were fixed on a firm and immoveable foundation: but the ground was undermined beneath them; and they were themſelves but too ſenſible that they no longer poſſeſſed the regard or confidence of the Sovereign.

Seſſion of Parliament.

The new Parliament met on the 16th of November 1708, and

choſe

choſe Sir Richard Onſlow Speaker. On account of the recent death of the Prince of Denmark, the Queen did not open the Seſſion in perſon; but the Lord Chancellor, in the name of the Commiſſioners, delivered a Speech on the uſual topics, concluding with the declaration, "that her Majeſty will always endeavor, on her part, to make her people happy to ſuch a degree as that none ſhall enter into meaſures for the diſturbance of her Government, the Union, or the Proteſtant Succeſſion as by law eſtabliſhed, without acting at the ſame time manifeſtly againſt their own true and laſting intereſt, as well as their duty." The Whigs having a decided aſcendency in this Parliament, there was little ſcope for important or intereſting debate during the preſent ſeſſion. A few queſtions, however, occurred worthy of hiſtoric notice. The Lords Haddo and Johnſtown, eldeſt ſons of Scottiſh Peers, being returned as Repreſentatives of the Shires of Aberdeen and Linlithgow, petitions were preſented againſt them as incapable by the Act of Union of ſitting in the Houſe of Commons. By an Act of the Scottiſh Parliament, regulating the mode of electing 16 Peers and 45 Commoners of that Kingdom to repreſent Scotland in Parliament—and ratified by the Act of Union, it was declared, "that none ſhall be capable to elect or be elected to repreſent a Shire or Burgh in the Parliament of Great Britain, but ſuch as are now capable to elect or be elected as Commiſſioners for Shires or Burghs to the Parliament of Scotland." And ſeveral inſtances were alleged of the rejection of the eldeſt ſons of Peers by the Scottiſh Parliaments—particularly the ſon of Viſcount Tarbat in 1685, and of Lord Levingſtone in 1689. The caſe being clearly made out, new writs were iſſued for the Counties of Aberdeen and Linlithgow.

The Duke of Queenſberry having been created an Engliſh Peer by the title of Duke of Dover, and taken his ſeat in Parliament as ſuch, had nevertheleſs claimed his privilege of voting as a Peer of Scotland in the election of the Sixteen Peers. This precedent was objected againſt as inequitable and dangerous, and, on a diviſion, the matter in diſpute was determined againſt the Duke of Queenſberry, though ſupported by the influence of the Court. This Nobleman now occupied the office of

Third

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Third Secretary of State; and to him was committed the entire management of the affairs of Scotland.

A remarkable law, originating in the terrors excited by the late invasion, was passed in the course of the present Session for the Regulation of Trials for High Treason in Scotland. By a clause of this Act, torture was abolished, and the forms of procedure in the Scottish Judicatures were assimilated nearly to the mild and equitable practice of the English Courts. But, as a heavy drawback on this indulgence, the pains and forfeitures of the English law were extended to Scotland. This was vehemently opposed by the Scottish Members, who declared it to be incompatible with the perpetual entails of the greater part of the Scottish landed estates; and since by the Act of Union all private rights were expressly reserved, it was inferred that no breach could be made on those settlements. After much debate, the House of Commons inserted a clause, that no estate in land should be forfeited upon a judgment of high treason. The Lords agreed to the amendment with this proviso—moved, as History cannot without conscious blushes state, by Lord SOMERS—"that it should not take place till after the death of the Pretender." This made the Bill odious in Scotland, notwithstanding the general mildness and equity of its provisions; and the term of its duration being at a subsequent period extended to the death of the sons of the Pretender, it still unhappily exists a monument of national revenge and injustice.

Act of Grace.

Towards the end of the session an Act of Grace, expressed, as the enemies of the Minister maliciously observed, in terms remarkably full, pardoning all treasons, &c. committed before the 19th April 1708, passed without any difficulty, and with the usual compliment of thanks; and on the 21st of April 1709 the Parliament was prorogued.

During the whole of the present session, under the auspicious direction of the present Whig Ministers, the Convocation was not suffered to sit. For when the day came on which it was to be opened, a writ was sent from the Queen to the Archbishop, ordering him to prorogue the

Convocation

Convocation for ſome months; at the end of which term came a ſecond writ ordering a ſecond prorogation: by which means a ſtop was put to much factious clamor, noiſe, and nonſenſe. But the High-Church party gave out that the Queen's heart was with them, though the war and other circumſtances obliged her at preſent to favor the adverſe party—which indeed was the real truth.

Conferences for Peace opened at the Hague.

France being now reduced to great extremities by the unparalleled ſeries of misfortunes which had attended her arms, as well as by the decline and almoſt extinction of public credit from the unjuſt and deſpotic meaſures of finance adopted by the Court, again entertained ſerious thoughts of Peace; and after the departure of the Duke of Marlborough to England, M. Rouillé was ſent to Holland to treat with the States upon the ſubject. But their High Mightineſſes, though they permitted him to enter the country, would admit no communication without the knowledge and participation of their Allies the Queen of England and the Emperor. In the beginning of April 1709, Prince Eugene and the Duke of Marlborough arrived at the Hague, and in concert with the Penſionary and the Deputies of the States held ſeveral conferences with M. Rouillé; whoſe overtures were declared to be unſatisfactory, and the Duke returned in a few days to London. The French Court, unwilling to relinquiſh all hope of pacification, reſolved upon this intelligence to ſend M. de Torcy, Miniſter for Foreign Affairs, to the Hague, in perſon, in order to renew the negotiation. The Duke of Marlborough and Lord Townſhend, a young Nobleman riſing into political eminence, and now joined with the Duke in this important commiſſion, immediately repaired thither a ſecond time: and Count Zinzendorf alſo arrived nearly at the ſame time from Vienna as joint Plenipotentiary with Prince Eugene. The conferences were now revived with freſh ardor; and ſuch conceſſions made by M. de Torcy on the part of the French King as the dire neceſſity of his affairs demanded—ſuch indeed as amply ſecured the intereſts, and ought to have ſatisfied the utmoſt ambition of the Allies. The French Miniſter, having gone without avail to the utmoſt extent of his Commiſſion, required a ſpecification of

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of the terms on which the Allies would grant peace to France. Preliminary Articles were accordingly framed and even ſigned by the Ambaſſadors of the Allied Powers; which M. de Torcy was authorized to lay before his Moſt Chriſtian Majeſty, and to which he promiſed that a final anſwer ſhould be given on or before the 4th of June enſuing (1709). The Articles imported in ſubſtance, "That the Moſt Chriſtian King ſhall acknowledge Charles III. as King of Spain; that in two months Sicily ſhall be put into the hands of King Charles; and the Duke of Anjou ſhall evacuate Spain; to which if he refuſes his conſent, the French King and the Allies ſhall enter into proper meaſures for its enforcement—that the French King ſhall deliver up Straſburg and Landau to the Emperor, and demoliſh New Briſac, Fort-Louis, and Huninghen—that he ſhall acknowledge the Queen of Great Britain and the Proteſtant Succeſſion—that he ſhall demoliſh Dunkirk, and cauſe the Pretender to retire from France—that he ſhall deliver up Furnes, Menin, Ypres, Warneton, Commines, Werwick, Poperingen, Liſle, Condé, and Maubeuge for the barrier of the States—that he ſhall make over Exilles, Feneſtrella, and Chemont, with the valley of Pragelas, &c. for a barrier to the Duke of Savoy—that the *pretenſions* of the Electors of Bavaria and Cologne ſhall be referred to the general negotiation—that the Allies ſhall be allowed to make farther demands at the General Congreſs—that the ſuſpenſion of arms ſhall terminate at the end of two months if the whole Spaniſh Monarchy be not ſurrendered up before that time." The King of France, deriving courage from deſpair, determined to reject theſe exorbitant demands; and on the 4th of June, Prince Eugene, being then at Bruſſels, received a letter from M. de Torcy, importing that his Moſt Chriſtian Majeſty, having examined the Project of Peace concluded at the Hague, found it impoſſible for him to accept it. The article which chiefly influenced his deciſion was the laſt, which, as he affirmed, made the continuance of peace to depend upon a condition not in his power to execute—though he conſented to recognize the Archduke as King of Spain, and to withdraw all aſſiſtance from the reigning Monarch.

This

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War becomes unpopular in England.

This negotiation, though unſucceſsful, anſwered nevertheleſs a good purpoſe to the King of France, who in an Appeal to the French Nation ſtated the preliminaries inſiſted upon by the Allies. "I order you," ſays the Moſt Chriſtian King in his circular letter to the Archbiſhops and Biſhops of his kingdom, "to acquaint my people within the extent of your Government, that they ſhould enjoy peace if it had been in my power, as it was in my will, to procure them a good they wiſh for with reaſon; but which muſt be obtained by new efforts, ſince the immenſe conditions I would have granted are uſeleſs towards the reſtoring of the public tranquillity." This had a powerful effect upon that great and high-ſpirited people, who declared their readineſs to ſuffer all, and to ſacrifice all, rather than ſubmit to ſuch ignominy. Even in England the impreſſion made was very viſible. It ſeemed unnatural, and contrary to every feeling of humanity, to compel the King of France to become a party in dethroning a Prince of his own blood. All perſons of moderation and reflection ſaw clearly, from the terms now offered and refuſed, that the war was in future to be continued merely to gratify the immeaſurable ambition of the Houſe of Auſtria; and that, excluſive of the flagrant injuſtice of forcing on the Spaniards a Sovereign who was the object of the national abhorrence, the policy of the meaſure was in preſent circumſtances extremely doubtful. For, the power of France being ſo greatly reduced while the grandeur of the Imperial family was elevated in the ſame proportion, no leſs danger was to be apprehended from transferring Spain and the Indies to the Houſe of Auſtria than by leaving them in poſſeſſion of a Prince of the Houſe of Bourbon. From this æra the unpopularity of the war and of the exiſting Whig Adminiſtration may undoubtedly be dated. The Tories ſaw and improved the advantage thus impoliticly afforded them *: and, to the honor of the people of England, no ſooner were they convinced of the injuſtice of the war than it became the ſubject of general reprobation. "There may," ſays Lord Chancellor Clarendon, "be better earth, better air, and a

* Vide Swift's Conduct of the Allies—a tract of great importance, as containing an excellent and admirable ſummary of the Tory arguments againſt the war.

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warmer ſun in other countries; but England is an incloſure of the beſt people in the world, when they are well informed and inſtructed."

Campaign in Flanders.

All negotiation being now at an end, the campaign in Flanders was opened in June 1709 by the ſiege of Tournay, which ſurrendered at diſcretion, after a long and obſtinate reſiſtance. The Allies next prepared to attack the city of Mons. But the French army, now commanded by Marechal Villars, poſting themſelves behind the woods of La Merte and Tanieres, in the neighborhood of Malplaquet, in order to obſtruct this deſign; the Duke of Marlborough and Prince Eugene formed a reſolution to attack the French General in his camp, which, naturally ſtrong, he had fortified with redoubts behind redoubts and entrenchments behind entrenchments, with ſuch diligence and ſkill as to make it apparently inacceſſible. After an obſtinate, fierce and bloody engagement, however, the lines were forced; but not till 30,000 men were left dead upon the field—a horrid ſacrifice to the inſatiable Demon of war. Marechal Villars, after a ſignal diſplay of ſkill and valor, was wounded, and compelled to retire from the ſcene of action: but Marechal Boufflers, ſecond in command, made an excellent retreat; and the loſs of the victors was little leſs than that of the vanquiſhed. The victory, however, was crowned by the taking of Mons; after which both armies went into winter quarters.

Battle of Malplaquet.

The Elector of Hanover again took upon him the command of the army upon the Rhine; but Count Merci, being detached with a conſiderable body of troops to make an incurſion into Franche Comté, was repulſed with loſs by M. Harcourt, who conducted the oppoſite army: and the remaining operations of the campaign were entirely defenſive.

A diſpute ariſing between the Courts of Vienna and Turin reſpecting the promiſed ceſſion of ſome diſtricts of the Milaneſe to the latter, the Duke of Savoy refuſed to take the field this year in perſon; and his General, Count Thaun, after ſome feeble efforts to penetrate into the French

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French territory, repaſſed the Alps, and marched back to Piedmont about the end of September.

Military operations in Spain.

The Spaniſh and Portugueſe armies on the frontier of Portugal were prepared for action early in the ſpring; and the Marquis das Minas, contrary to the advice of the Earl of Galway, determining to paſs the Coya in face of the enemy commanded by the Marquis de Bay, was defeated with loſs—the Britiſh infantry, as uſual, fighting heroically, and being abandoned as uſual by the Portugueſe cavalry. The Earl of Galway, as brave as unfortunate, had a horſe ſhot under him, and very narrowly eſcaped being taken. This able General afterwards choſe his poſts along the Guadiana, to the banks of which he retreated, ſo judiciouſly that the Marquis de Bay could make no advantage of his victory.

Extraordinary defence of Alicant

On the eaſtern ſide, the town and caſtle of Alicant ſurrendered to the Spaniards, after a long and moſt pertinacious defence. The enemy, who had formed the blockade early in the month of December 1708, finding all other means ineffectual, reſolved to blow up the rock on which the caſtle ſtands; and a mine being excavated with immenſe labor was filled with 1500 barrels of powder. The Chevalier D'Asfeldt, who directed the operations of the ſiege, generouſly reluctant to carry his purpoſe into execution, ſummoned the Governor, Colonel Syburg, to ſurrender, and at the ſame time permitted him to ſend out two of his officers to view the condition of the mine. This produced no change in the reſolution of the Governor; and, the ſignal being next day made for firing the mine, he walked with ſeveral officers to the parade, and ordered the guard to retire: which was no ſooner done but the mine was blown up, and with little or no noiſe made, on the very parade, an opening in the rock of ſome yards in length and about three feet wide, into which the Governor and divers other officers fell; and, the opening inſtantly cloſing upon them, they all periſhed. Notwithſtanding this horrid cataſtrophe, Colonel D'Albon, upon whom the command devolved, refuſed to capitulate. Great admiration being excited by ſo extra-

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ordinary a defence, a council of war was held at Barcelona, in order to concert effectual meaſures for their relief: and General Stanhope in perſon undertook the command of an armament deſtined for that purpoſe; but the weather proved ſo tempeſtuous that the troops could not diſembark. At length, proviſions failing, and the garriſon being reduced to extremity, General Stanhope ſent a flag of truce to the Spaniſh Commander, offering to ſurrender the caſtle of Alicant upon honorable terms; which were granted without heſitation, and the garriſon marched out, on the 18th of April 1709, with two pieces of cannon and all the honors of war, and were immediately embarked for Minorca, and diſtributed into quarters of refreſhment. On the frontier of Catalonia Marechal Staremberg paſſed the Segra, and captured the town of Balaguer—the garriſon being made priſoners of war: after which exploit he contented himſelf with acting upon the defenſive, and by his vigilance and ſkill he prevented the enemy from gaining, with all their ſuperiority of force, any advantage over him.

K. of Sweden defeated at Pultowa.

The autumn of this year was diſtinguiſhed by the total defeat of the King of Sweden by the Czar at Pultowa. Reſolving to invade Muſcovy, he had engaged himſelf ſo far in the Ukraine that there was no poſſibility remaining of retreat. He therefore, relying upon his fortune, paſſed the Nieper, and inveſted the important fortreſs of Pultowa. The Czar marched at the head of a far ſuperior army to raiſe the ſiege. The King of Sweden nevertheleſs determined to riſque a battle: but he ſoon found that he had not now to contend with the undiſciplined rabble of Narva. The Czar, by unwearied aſſiduity and perſeverance, had converted his boors into ſoldiers. There was alſo no mean diſplay of generalſhip on the part of the Ruſſians; and in the end the Swedes were compelled to quit the field with the loſs of their camp, artillery and baggage. Being cloſely purſued, the whole army, having neither bread nor ammunition, found themſelves reduced to the dreadful neceſſity of ſurrendering as priſoners of war. The King of Sweden himſelf, with a few followers, paſſing the Nieper, took refuge in the Turkiſh dominions, fixing his reſidence at Bender. Upon this great reverſe of his affairs, King Auguſtus, declaring

declaring his renunciation of the Crown forced and void, returned to Poland; which his rival Staniſlaus was in no leſs haſte to abandon, finding himſelf utterly unable to make any effectual reſiſtance. The Kings of Denmark and Pruſſia embraced this apparently favorable opportunity to renew the war againſt Sweden. But the Danes, paſſing over the Sound to Schoenen (March 1710), were unexpectedly attacked and entirely defeated by the Swediſh militia; and leaving behind them their horſes, proviſions and baggage, the remainder of their army embarked precipitately for Elſinore. BOOK VI. 1709.

New overtures of peace made by France.

After the termination of the campaign in the Netherlands, the French Court renewed, in a covert manner, their overtures for peace; and applied, through the mediation of M. Petkum, Reſident from the Duke of Holſtein at the Hague, that paſſes might be granted for ſome Miniſters from France to come to Holland and renew the conferences; or otherwiſe, that M. Petkum ſhould be permitted to go to France in order to concert ſome expedient that might facilitate the ſame general purpoſe. The firſt the States refuſed, but they conſented that Petkum ſhould go to France; which he did the latter end of November. While theſe negotiations were carrying on, King Philip publiſhed a Manifeſto, wherein he proteſted againſt all that ſhould be acted to his prejudice as null and void; and declared his reſolution to adhere to his faithful Spaniards as long as there was a man of them that would ſtand by him. After an interval of a few weeks, Petkum returned with a propoſal to reſume the negotiations in form; and, at the ſame time, with a frank and open avowal from his Moſt Chriſtian Majeſty, that it would be impoſſible for him to execute the thirty-ninth article of the Preliminaries relative to the evacuation of Spain, even if he ſhould ſign it. On which their High Mightineſſes not only refuſed to reſume the negotiations, but wrote letters to the Emperor and the Diet, and the other Powers of the Alliance, exhorting them to proſecute the war with redoubled vigor.

Seſſion of Parliament.

The Parliament met on the 15th of November 1709; and the neceſſity was again inculcated of making freſh efforts againſt the common enemy, who

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who was ſaid "to uſe all their artifices to amuſe with falſe appearances and deceitful inſinuations of their deſire of peace, in hope that from thence means might be found to create diviſions or jealouſies among the Allies." The war, however, became every day more unpopular in England; and the majority of the Nation began loudly to complain, that thanks were year after year returned to the Duke of Marlborough for his public ſervices; when it became every day more apparent that he was actuated chiefly by private conſiderations, and that he invariably oppoſed all overtures of conciliation, prompted by the ſuggeſtions of ambition and of intereſt. In order, however, effectually to check and intimidate that riſing ſpirit of diſcontent, evident ſymptoms of which appeared in every part of the kingdom; and to diſplay the firmneſs of their attachment to thoſe principles in which this once popular war had originated, the Parliament determined to give full ſcope to their vengeance on an occaſion which certainly called for no ſuch extraordinary violence of exertion.

Trial of Sacheverel.

On the 5th of November 1709 an obſcure clergyman of the High-Church Faction, of the name of Sacheverel, preaching at St. Paul's cathedral upon the words of St. Paul, "Perils from falſe brethren," indulged himſelf in the moſt virulent defamation and abuſe of the preſent Adminiſtration and of their meaſures. The Lord Treaſurer in particular was ſcurrilouſly attacked by the name of VOLPONE; and divers of the Right Reverend Bench were alſo inveighed againſt with much ſcorn and malignity, as "perfidious Prelates and falſe ſons of the Church," on account of their moderation reſpecting the Diſſenters, and their avowed approbation of the Toleration. He aſſerted in terms the moſt unqualified the doctrines of paſſive obedience and non-reſiſtance; and pretended that to ſay the Revolution was inconſiſtent with thoſe doctrines was to caſt black and odious imputations upon it. He affirmed that the Church was violently aſſailed by her enemies, and faintly defended by thoſe who profeſſed themſelves her friends. He vehemently urged the neceſſity of ſtanding up in defence of the Church, for which he declared that he ſounded the trumpet, and exhorted the people "*to put on the whole*

armour of GOD." This inflammatory and libellous harangue, being published at the requeſt of the Lord Mayor, was extravagantly extolled and applauded by the Tories, and circulated by them with great induſtry throughout the kingdom. At the very height of the popular ferment and clamor excited by this extraordinary invective, and which would doubtleſs have ſoon died away had no public notice been taken of it, a complaint was formally preferred to the Houſe of Commons, by one of the Members of that Houſe, of this Sermon, as containing poſitions contrary to Revolution principles, to the preſent Government, and to the Proteſtant Succeſſion. As it was by this means obtruded upon the notice of the Houſe, it was impoſſible not to expreſs in ſome mode their diſapprobation of theſe nefarious and ſeditious tenets. The wiſer Members thought it ſufficient to order the Sermon to be burnt by the hands of the common hangman, and to commit the Writer to Newgate during the remainder of the ſeſſion. This, however, was by no means ſatisfactory to the majority, who determined to raiſe this contemptible libeller to the rank of a political delinquent of great conſequence and dignity, by a ſolemn parliamentary impeachment at the bar of the Houſe of Lords. No ſooner was this abſurd and unaccountable reſolution made public, than every poſſible artifice was put in practice by the Tory faction to inflame the minds of the Public, and to repreſent Sacheverel as the champion and martyr of the Church, which the Whigs had, as they affirmed, a fixed intent to ſubvert; and of which project the impeachment of Sacheverel was only the prelude. Theſe calumnies, however groſs and palpable, were ſwallowed by the populace with amazing avidity. During the trial, which laſted three weeks, his coach, in paſſing between Weſtminſter-hall and the Temple, where he then lodged, was conſtantly attended by vaſt multitudes with ſhouts and acclamations of applauſe. And great tumults prevailed in the metropolis, where ſeveral places of worſhip licenſed under the Act of Toleration were pulled down: the houſes of many of the moſt eminent Diſſenters were plundered, and thoſe of the Lord Chancellor, Lord Wharton, the Biſhop of Sarum, &c. were threatened with demolition.

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The Managers of the Houſe of Commons, amongſt whom were the celebrated names of KING, STANHOPE and WALPOLE, nevertheleſs exerted themſelves with great courage and ability in ſupport of the proſecution; and divers of the Lords, Spiritual as well as Temporal, diſtinguiſhed themſelves by the liberality of their remarks upon this intereſting occaſion. The Earl of Wharton, knowing at the time the Queen to be in the Houſe *incognita*, took the opportunity to obſerve, "that if the Revolution was not lawful, many in that Houſe, and vaſt numbers out of it, were guilty of bloodſhed and treaſon; and that the Queen herſelf was no legal Sovereign, ſince the beſt title ſhe had to the Crown was her parliamentary title founded on the Revolution." Dr. Wake, Biſhop of Lincoln, remarked, "that by falſe and injurious inſinuations men had been made to believe the Church to be in danger, when in reality it enjoyed the moſt perfect ſecurity; but that ſuch invectives, if not timely corrected, might kindle ſuch heat and animoſities as would truly endanger both Church and State." And Burnet, Biſhop of Sarum, juſtified the principle of reſiſtance without reſerve. He mentioned the conduct of Queen Elizabeth, who had aſſiſted the French, the Scots and the Hollanders in reſiſting their reſpective Sovereigns, and who was ſupported in this practice both by her Parliaments and her Convocations. He obſerved, "that King Charles I. had aſſiſted the City of Rochelle; and that Mainwaring had incurred the ſevereſt cenſure of Parliament for broaching the doctrine of the divine right of Kings—that though this became afterwards a faſhionable doctrine, yet its moſt zealous aſſertors were the firſt to reſiſt, when actually ſuffering under oppreſſion. He ſaid, that by inveighing againſt the Revolution, the Toleration, and the Union, the delinquent at their Lordſhips' bar had arraigned and attacked the Queen herſelf; ſince her Majeſty had a diſtinguiſhed ſhare in the firſt, had often declared ſhe would maintain the ſecond, and that ſhe looked upon the third as the moſt glorious event of her reign. He affirmed, that this audacious libeller had likewiſe caſt the moſt ſcandalous reflections upon her Majeſty's Miniſters; and that he had in particular drawn the portrait of a Noble Peer then preſent, in colors ſo lively, and had ſo plainly pointed him out by a vile and ſcurri-

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lous epithet, which he would not repeat, that it was impoſſible to miſtake in making the application." This unintentional ſarcaſm of the Lord Treaſurer ſomewhat diſcompoſed the gravity of the Houſe; and, in violation of dignity and decorum, the Biſhop was loudly called upon to name him; which in the fervor of his zeal, and in the wanderings of that mental abſence for which he was remarkable, he might perhaps have done, had not the Lord Chancellor interpoſed, and declared that no Peer was obliged to ſay more than he himſelf ſhould deem proper. In concluſion, Sacheverel was after high debates found guilty of a miſdemeanor, by a majority of 17 voices only—52 to 69; and he was adjudged to be ſuſpended from preaching for the ſpace of three years, and his Sermon ordered to be publicly burned. And to the ſame flames was alſo ſomewhat whimſically, though very deſervedly, committed the famous Decree of the Univerſity of Oxford, paſſed near thirty years before, aſſerting the abſolute authority and indefeaſible right of Princes.

Great popularity of the Tories.

This mild ſentence caſt an air of ridicule over the whole proceedings, and was conſidered as equivalent to an acquittal by the Tory faction, who celebrated their triumph by bonfires and illuminations, not only in London, but over the whole kingdom. Theſe rejoicings were ſucceeded by numerous Addreſſes, expreſſive of a zealous attachment to the Church, and an utter deteſtation of all anti-monarchical and republican principles. And in a progreſs which Sacheverel afterwards made into a remote part of the country, he was ſumptuouſly entertained by the Univerſity of Oxford, invited to the palaces of different Noblemen, received in many towns by the Magiſtrates in their formalities, and generally attended by a numerous eſcort of horſe. In other places the hedges were ornamented with garlands of flowers, the ſteeples were covered with ſtreamers and flags, and the air every where reſounded with the cry of "the Church and Sacheverel." The enthuſiaſm ſpread like a contagion through all ranks and orders of people. Men ſeemed to ſuffer a temporary dereliction of ſenſe and underſtanding, and the mob and the nation were for a time terms of the ſame import. No martyr ſuffering in the glorious cauſe of civil and religious liberty was ever perhaps ſo much

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much the object of public applauſe and veneration, as this wretched and fanatical preacher of nonſenſe, impiety, and ſedition.

Entire change of Adminiſtration.

Encouraged by the diſpoſition now univerſally prevalent, the Queen gave the firſt public indication of her total change of ſyſtem by diſmiſſing the Marquis of Kent, April 1710, and giving the office of Chamberlain to the Duke of Shrewſbury. This Nobleman, after paſſing ſome years on the Continent, had recently returned to England; and, to the great chagrin of the Whigs, had on all the late queſtions voted with the Tories—probably as the riſing party. The Lord Treaſurer, to whom the Queen had by letter communicated her intention on the eve of its execution, and who pretended to hope that this change would meet with his approbation, too well comprehending the meaning of it, wrote a ſtrong expoſtulatory epiſtle to the Queen; in which he expreſſes his "conviction, that ſhe was ſuffering herſelf to be guided to her own ruin and deſtruction, as faſt as it was poſſible for thoſe to compaſs it to whom ſhe now ſeemed ſo much to hearken." This letter made no impreſſion upon the Queen, who had indeed diſpoſed of the Chamberlain's ſtaff two days before ſhe received it. About the beginning of June, the deſign of diſmiſſing the Earl of Sunderland began to be publicly talked of; on which the Duke of Marlborough, then abroad, wrote to the Queen, ſtating in the moſt energetic terms the pernicious conſequences of this ſtep, and "the alarm and diſtruſt it would excite in all foreign Courts." The Ducheſs of Marlborough alſo moſt injudiciouſly and officiouſly interpoſed in behalf of the Earl, making it "her laſt requeſt, that her Majeſty would defer the blow till the end of the campaign. This," ſhe added, "ſhe begged upon her knees." This meanneſs might perhaps haſten, certainly it did not retard, the execution of the deſign; for on the 14th of June Lord Sunderland was diſmiſſed, and the Seals given to the Earl of Dartmouth. A ſtep ſo deciſive gave the utmoſt alarm to the whole Whig party, at whoſe ſuggeſtion, probably, Count Gallas, the Imperial Miniſter, and M. Vryberg, the Dutch Reſident, repreſented to the Queen the ill effects which a change of the Miniſtry would produce on the whole political ſyſtem. In anſwer to their reſpective

tive Memorials, the Queen declared her reſolution, whatever changes might be in contemplation, to continue the Duke of Marlborough in his employments. In Auguſt the Lord High Treaſurer Godolphin was ordered to break his ſtaff, and the Treaſury was put into commiſſion—Earl Paulet being appointed the Firſt Commiſſioner. But this appointment was conſidered as merely nominal; Mr. Harley, who was conſtituted Chancellor of the Exchequer, being regarded as Chief or rather ſole Miniſter. In October, the Queen came in perſon to the Council, and ordered a proclamation to be iſſued for diſſolving the Parliament; upon which the Lord Chancellor roſe to ſpeak: but the Queen declared "that ſhe would admit of no debate, for that *ſuch was her pleaſure*." At the ſame time ſhe diſmiſſed the Lord Somers, and made the Earl of Rocheſter Preſident of the Council. The Duke of Buckingham was declared Lord Steward in the room of the Duke of Devonſhire. The Seals in the poſſeſſion of Mr. Boyle were given to Mr. St. John. The Lord High Chancellor Cowper was ſucceeded by Sir Simon Harcourt. The Earl of Wharton reſigned the Government of Ireland, and the Earl of Orford his ſeat at the head of the Admiralty. The Duke of Marlborough alone was ſtill ſuffered to retain his employments, which he was deterred from reſigning by the preſſing entreaties of the Emperor and the States General, who conceived the fortune of the war to be in a great meaſure attached to his perſon.—The Tories were in the higheſt degree elated at theſe changes, extolling the Queen "for aſſerting her juſt prerogative, and ſetting herſelf free from an arbitrary junto who kept her in an inglorious dependence on their will and caprice." And the Duke of Beaufort congratulated her Majeſty "on his being now able to ſalute her Queen."

Conferences of peace revived at Gertruydenberg.

Early in the year 1710, M. Torcy ſent another project of peace to M. Petkum, containing ſome modifications of the preliminary articles, and offering three fortified towns in Flanders as a pledge for the execution of the 37th article, reſpecting the reſtitution of the Monarchy of Spain. M. Petkum, having communicated with the Penſionary and the Plenipotentiaries of the Emperor and the Queen, returned an anſwer import-

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ing "that the Allies required his Moſt Chriſtian Majeſty ſhould declare in plain and expreſſive words, that he conſented to all the preliminaries except the 37th article; which done, the Allies would ſend paſſports to his Miniſters to treat of an equivalent for that article." The French King at length reluctantly aſſented to this propoſition; and the Marechal D'Uxelles and the Abbé de Polignac were appointed Plenipotentiaries from his Moſt Chriſtian Majeſty to meet thoſe of the States General, to whom the management of this negotiation was committed, at Gertruydenberg, the place ultimately fixed upon for the Congreſs. The firſt expedient offered by the French Negotiators was, that King Philip ſhould reſign Spain and the Indies to the Archduke, and be allowed to retain Naples and Sicily: but this was refuſed with diſdain; as was alſo a ſecond propoſal for ceding to him the Kingdom of Arragon. Finally, the Abbé de Polignac offered in the name of the King his maſter, that the whole Spaniſh Monarchy ſhould be ſurrendered to the Archduke, Sicily and Sardinia excepted; and that if King Philip ſhould not acquieſce in this propoſal, his Moſt Chriſtian Majeſty, though he could by no means declare war againſt the King his grandſon, would yet furniſh a ſum of money towards the charges of a war to be continued againſt him till he had ſurrendered Spain and the Weſt Indies to the Houſe of Auſtria. This conceſſion being reported to the Imperial and Britiſh Miniſters, the following written anſwer was with their concurrence returned—"1ſt, That the propoſal ultimately made by the French King, was not acceptable to the Allies—as tending to produce not a general but a ſeparate peace. 2dly, That the Allies inſiſted to have Spain and the Indies delivered up, according to the tenor of the Preliminaries. 3dly, This foundation being laid and agreed upon, the Allies would conſent to continue the conferences. At the urgent inſtance of the French Plenipotentiaries, another interview, which proved to be the laſt, took place for the purpoſe of explanation. Upon this occaſion high language was uſed on both ſides. The Dutch Deputy Vanderduſſen reproaching the French Court with inſincerity; the Abbé de Polignac retorted by ſome ſevere reflections on the ingratitude and inſolence of the Dutch in relation to France, by whoſe powerful aſſiſtance they had attained to the rank of an independent and

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ſovereign Power. And the French Miniſters finally broke up the conferences, declaring the propoſals made by the Deputies of the States to be unjuſt, and impoſſible to be executed: and on the 25th of July they quitted Gertruydenberg in order to repair to their own Court, which, it was obſervable from that period, ſeeing probably a new ſcene of things opening in England, began to talk of peace with an air of coldneſs and indifference.

Campaign in Flanders.

By this time great progreſs had been made in the military operations of the ſummer. Prince Eugene and the Duke of Marlborough had again taken the field, April 1710; and the ſucceſs of the campaign was equal to the expectations excited by the junction of ſuch extraordinary talents. Notwithſtanding the utmoſt exertions of M. Villars, who directed the operations of the French army with great ability, the Allies ſucceſſively reduced the towns of Douay, Bethune, St. Venant, and Aire, paſſing, in the proſecution of theſe ſieges, one hundred and fifty days in open trenches. Nothing worthy of notice occurred on the Rhine, where Count Gronsfelt this year commanded, in conſequence of the reſignation of the Elector of Brunſwic. In Piedmont the campaign was likewiſe wholly defenſive.

Campaign in Spain.

The moſt intereſting events of the preſent ſummer happened in Spain. The reigning Monarch, eager to put a final termination to the hopes and claims of his competitor, advanced at the head of a powerful army into Arragon, in order to bring matters to a deciſive iſſue. General Stanhope, notwithſtanding, with a force very inferior, attacked and totally routed the Spaniſh cavalry at Almanara—diſplaying on this occaſion all the romantic valor of the heroes of Roncesvalles, and killing with his own hand the Spaniſh Commander Ameſſaga, who had perſonally and furiouſly aſſailed him. Count Staremberg, following the motions of the King, who found it neceſſary in conſequence of this check to retire towards Saragoſſa, diſcovered the Spaniſh army drawn up in order of battle near that place; and an engagement enſuing (Auguſt 9, 1710), the enemy were entirely defeated. King Charles entered Saragoſſa in triumph, while

Victories of Almanara and Saragoſſa.

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1710. Reverſe of fortune.

Philip retired with the wreck of his army to Madrid. The good fortune of Charles was however of ſhort duration. Proceeding without delay to Madrid in purſuit of his competitor, he had the mortification to find that city entirely deſerted by all the Spaniſh Grandees, and to receive the moſt convincing proofs of the fidelity and attachment of the Caſtilians to his rival. Great efforts being made by Philip to collect another army, and the Court of Verſailles exerting itſelf on the intelligence of the late diſaſters to ſend large re-inforcements into Spain, and, which was a circumſtance of no ſmall importance in a criſis like the preſent, with the Duke de Vendome at their head; the Spaniſh Monarch ſoon appeared again in great force. And Count Staremberg, being wholly unſupported, in the heart of an enemy's country, and apprehending his retreat to Catalonia might be intercepted, thought it expedient to retrace his footſteps: and in the beginning of November his army marched back to Saragoſſa. But the greater part of the Britiſh forces, under General Stanhope, halting imprudently at Brihuega, were ſuddenly ſurpriſed and ſurrounded by the Spaniſh army, and reduced to the fatal neceſſity of ſurrendering themſelves priſoners of war: and in a few days afterwards Staremberg himſelf was attacked at Villa Vicioſa with great valor but doubtful ſucceſs. He was however compelled, victor as he ſtyled himſelf, to abandon Arragon, and retire to Catalonia; and being cloſely purſued by the Duc de Vendome, he was at laſt driven to take ſhelter under the walls of Barcelona. Thus the flatering ſucceſſes of the Allies at the commencement of this campaign proved wholly deluſive; and during the remaining years of the war Charles was never able to regain even a temporary ſuperiority.

Diſaſter at Brihuega.

Seſſion of Parliament.

The New Parliament, which met on the 25th November 1710, was compoſed almoſt wholly of Tories—the popular violence in the late General Election being ſuch as made it ſcarcely ſafe to vote for a Whig. Mr. Bromley was choſen Speaker with little or no oppoſition. In the Speech from the throne the Queen "recommended the carrying on the war in all its parts, particularly in Spain, with the utmoſt vigor. She declared her reſolution to ſupport and encourage the Church of England as by Law eſtabliſhed, to preſerve the Britiſh Conſtitution according to

to the Union, and to maintain the *indulgence allowed by Law to ſcrupulous conſciences*. And that all theſe," ſaid the Queen in concluſion, "may be tranſmitted to poſterity, I ſhall employ none but ſuch as are heartily for the Proteſtant Succeſſion in the Houſe of Hanover, the intereſt of which family no perſon can be more truly concerned for than myſelf." The Addreſſes were in the ſame unexceptionable ſtrain; ſo that the uſe of the obnoxious phraſe INDULGENCE *of ſcrupulous conſciences* was the only indication of the predominance of Tory principles.

In December the Duke of Marlborough arrived in London, and was received with the uſual popular acclamation. His Grace manifeſted no reſentment at what had paſſed. He viſited and was viſited by the heads of the preſent Adminiſtration, and, being ſtrongly ſolicited by the States General and the Emperor to continue in the command, ſeemed reſolved to acquieſce in the new order of things. Convinced at length, however ſlow to believe, that the Ducheſs of Marlborough muſt relinquiſh every hope of regaining the loſt affection of her Sovereign, he carried a ſurrender of all her places to the Queen, who divided them between the Ducheſs of Somerſet and Mrs. Maſham.

Violence of the Tories.

The Houſe of Commons, actuated by the rage of party, eagerly ſought occaſions to diſplay their hatred to the principles and perſons of their predeceſſors. Though the Earl of Godolphin had been one of the moſt incorrupt of Miniſters, a vote of cenſure paſſed upon him on pretence that his accounts were not regularly audited. For the ſake of offering an indignity to the memory of King William, the Houſe of Commons ordered in a Bill empowering Commiſſioners to examine all grants made by that Monarch, and to report the value of them, and the conſiderations upon which they were beſtowed. This, however, was rejected by the Lords. Great pains were taken to fix a ſtigma upon the character of the Duke of Marlborough; and the cuſtomary perquiſites which he received in the capacity of Commander in Chief were voted to be unwarrantable and illegal. It was reſolved by the Houſe, that the ſums ſo received ought to be accounted for as public property; and the Queen in the ſequel ordered

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dered the Attorney General to commence a proſecution againſt the Duke for money actually received by virtue of her own warrant. An enquiry was again ſet on foot in the Upper Houſe into the conduct of the war with Spain. The Tories, having now obtained an aſcendency in that Houſe in conſequence of the acceſſion of the ſixteen Scottiſh Peers, came to a reſolution, "That the Earl of Peterborough had given a very faithful, juſt and honorable account of the Councils of War in Valencia, and that the adoption of the opinion of the Earl of Galway and General Stanhope for the proſecution of offenſive meaſures was the *unhappy occaſion* of the battle of Almanza and our conſequent misfortunes in Spain." And the Earl of Peterborough was thanked for his great and eminent ſervices. But a ſtrong Proteſt was entered againſt this reſolution, ſigned by thirty-ſix Peers, in which their Lordſhips moſt juſtly remark, that the advice thus cenſured, was in the then circumſtances fit and proper to be given—and that the loſs of the battle of Almanza was to be attributed to ſubſequent cauſes wholly foreign to the advice in queſtion.

A ſingular incident occurred at this time, which contributed much to raiſe the credit and popularity of the new Miniſter, Mr. Harley. A perſon calling himſelf the Marquis de Guiſcard, a French refugee, who had been refuſed, or deprived of, a penſion by Mr. Harley, being ſubſequently apprehended on ſuſpicion of carrying on a treaſonable correſpondence with France, and examined before the Council Board, made a ſudden and deſperate attempt to ſtab him in the breaſt with a pen-knife. Fortunately the knife, lighting on the bone, broke ſhort, and the hurt was comparatively ſlight. Guiſcard was ſecured, not without ſome difficulty, and after receiving ſeveral wounds, of which he ſoon after died in priſon. On this event, an Act paſſed to make an attempt on the life of a Privy Counſellor to be felony; and both Houſes of Parliament joined in an Addreſs to the Queen, expreſſing "their great concern for this barbarous and villainous attempt on the perſon of Mr. Harley, whoſe fidelity to her Majeſty and zeal for her ſervice had drawn upon him the hatred of all the abettors of popery and faction."—Another fortunate

nate circumſtance for Mr. Harley was the ſudden death at this period of the Earl of Rocheſter, a Nobleman of great ambition, abilities, and popularity; between whom and Harley ſtrong ſymptoms of jealouſy and competition had already appeared. Immediately conſequent to this event, Mr. Harley was raiſed to the dignity of Lord High Treaſurer, and created Earl of Oxford and Earl Mortimer—two of the nobleſt titles in Engliſh heraldry.

On the 12th of June 1711, the Queen came to the Houſe, and, in a Speech containing freſh aſſurances of her earneſt concern for the Proteſtant Succeſſion, prorogued the Parliament.

Proceedings of the Convocation againſt Whiſton.

The Convocation, which met at the ſame time with the Parliament, choſe the famous Atterbury Prolocutor. Soon after, the Queen ſent them a licence under the Great Seal to ſit and do buſineſs in as ample a manner as was ever granted ſince the Reformation. By this licence they were empowered to enter upon ſuch conſultations as the preſent ſtate of the Church required, and eſpecially of ſuch matters as ſhe ſhould lay before them. Immediately a Committee was appointed to draw up a repreſentation of the preſent ſtate of Religion and the Church, which contained a moſt virulent declamation againſt the Government from the time of the Revolution. This was aſcribed to the pen of Atterbury—but the Biſhops diſapproving the terms in which it was framed, a conteſt between the two Houſes, as uſual, enſued *. But their attention was ſoon diverted to another topic. Whiſton, the famous Mathematical Profeſſor at Cambridge, had recently publiſhed a book, in which he attempted to revive and defend the antient Arian hereſy; for which he was expelled the Univerſity. Upon this, he wrote a vindication of his doctrine, and dedicated it to the CONVOCATION; for which aſtoniſhing inſtance of effrontery, the orthodox ſons of the Church determined to make him feel the effects of their reſentment. But the Archbiſhop Tenniſon, a mild and tolerant Prelate, ſtated it as a doubt whether this Aſſembly had any

* Burnet, vol. iv. p. 324.

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clear warrant for proceeding criminally againſt a man for hereſy. The Judges being conſulted, were divided in opinion; eight affirming with ſome heſitation, that they could; and four with great poſitivity, that they could not proceed in ſuch a caſe. With the terrible penalties of a Premunire in proſpect, it was neceſſary therefore to act very cautiouſly: and their Lordſhips ſatisfied themſelves with extracting certain propoſitions from the book in queſtion, which they cenſured as falſe and heretical; in which the Lower Houſe concurred. This the Archbiſhop tranſmitted to the Queen for her aſſent, who promiſed to conſider of it; but ſhe did not ſend any anſwer during the ſitting of the Convocation. Neither at their next meeting in the enſuing winter did the expected anſwer appear. And two Biſhops being at length deputed to aſk for it, ſhe declared, that ſhe could not tell what was become of the Archbiſhop's paper: ſo a new extract of the cenſure was again ſent to her—but no anſwer ever arrived, and Whiſton's affair remained undecided; Harley and St. John, the new Miniſters, probably regarding the whole proceeding with ſecret diſlike and contempt.

Death of the Emperor Joſeph.

About this period died Joſeph, Emperor of the Romans—an event of great political importance, as it manifeſtly afforded a fair opening to renew the overtures for a general peace, which was now ſuſpected to be not leſs the object of the eager wiſhes of the Court of London than of that of Verſailles.

State of politics on the Continent.

The general ſtate of politics on the Continent had undergone little alteration ſince the great and deciſive battle of Pultowa. By his inceſſant intrigues and machinations at the Porte, the King of Sweden had prevailed upon the Grand Seignor, Achmet III. to declare war againſt Muſcovy. And the Czar, advancing with great indiſcretion and dangerous contempt of his enemy far into the Turkiſh territories, was ſurrounded by the Grand Vizier in his camp near the banks of the Pruth, his ſupplies of proviſion cut off, and he himſelf reduced to the neceſſity of purchaſing a peace by the ſacrifice of Aſoph and his other conqueſts. In Germany, the King of Denmark unſucceſsfully attempted the ſieges of Stralſund and Wiſmar, and he incurred the infamy of violating the peace, without as yet obtaining any ſort of advantage by the renewal of the war.

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Campaign in Flanders.

In the month of May 1711 the Duke of Marlborough appeared for the laſt time at the head of the grand army in Flanders—Prince Eugene commanding a ſeparate body of forces on the Rhine. This campaign was not diſtinguiſhed on the part of his Grace by brilliant ſucceſs, but it attracted uncommon attention as exhibiting the moſt conſummate proofs of military ſkill and conduct. Marechal Villars had with great labor and perſeverance drawn lines from Bouchaine on the Scheld along the Sanſet and Scarpe to Arras and Canché, which he had fortified by redoubts, batteries, and other military works, in ſuch a manner that he ſcrupled not publicly to boaſt that they were impregnable, and that the Engliſh General had at length arrived at his "Ne plus ultra." The Duke, however, boldly advanced within two leagues of the French lines, making every preparation in order to a vigorous attack the next morning; and Villars drew, with all poſſible diligence, his whole force on that ſide, in full expectation of an immediate and furious engagement. This being foreſeen by the Duke, he had given previous orders to Generals Cadogan and Hompeſch, with a ſtrong detachment ſecretly drawn from the neighboring garriſons, to take poſſeſſion of the paſſes on the river Sanſet at Arleux. At nine in the evening the Duke ſilently decamped; and by eight the next morning he arrived at Arleux with his whole army, after a march of ten leagues without halting. Villars, on being certified of the Duke's motions within a few hours of his departure, marched all night with ſuch expedition, that, at eleven the next morning, he was in ſight of the Duke of Marlborough, who, to his unſpeakable mortification, had, as he now found, entered thoſe lines which he had himſelf vauntingly pronounced impregnable, without the loſs of a man. His Grace immediately inveſted the important fortreſs of Bouchaine, which ſurrendered after twenty days' open trenches only. And this admired and hazardous military achievement cloſed the long glories of this celebrated Commander, who, at the critical moment in which he had almoſt penetrated the French barrier, and when another Ramillies might have removed all obſtacles in his march to Paris, was, by the mandate of that Sovereign whom he had ſerved with ſuch unparalleled ability and ſucceſs, diveſted of all his civil and military employments.

Capture of Bouchaine.

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Archduke Charles elected Emperor.

On the Rhine, in Italy, and in Spain, nothing of moment was attempted on either ſide. The Imperial Diet, aſſembling at Frankfort under the protection of Prince Eugene, proceeded quietly to the election of an Emperor; and the votes of the Electors of Bavaria and Cologne, who were under the *ban* of the Empire, being previouſly rejected, the Electoral College unanimouſly choſe Charles King of Spain, brother to the late Emperor, who was crowned at Frankfort with the uſual ſolemnity.

Naval tranſactions.

The naval tranſactions of the year 1711, though not very memorable, muſt not paſs entirely unnoticed. During the ſummer the French, whoſe marine had gradually fallen into a ſtate of great decay ſince the battle off Malaga, unexpectedly fitted out a conſiderable ſquadron under M. Du Guai Trouin, deſtined for the Brazils. Having entered the bay of Rio de Janeiro, he compelled the Portugueſe to run aſhore, and ſet ſeveral of their ſhips on fire; after which he made himſelf maſter of the town of St. Sebaſtian, where he found a prodigious booty in cruſadoes and rich merchandize. On the other hand an expedition of a ſomewhat ſimilar nature, ſet on foot by the new Miniſters in England, ſucceeded very ill. The French ſettlement of Port-Royal in the peninſula of Acadie in North America had already been taken poſſeſſion of by Colonel Nicholſon, who gave it the appellation of Annapolis. A deſign was now formed for the capture of Quebec, the capital of French America, ſituated on the great river St. Laurence: and 5000 troops were put under the command of Brigadier Hill—brother to the Favorite, Mrs. Maſham—an officer very incompetent to ſuch an enterpriſe—convoyed by a ſtrong ſquadron under Sir Hovenden Walker. After various delays the fleet entered the St. Laurence about the end of Auguſt, expecting a powerful co-operation from the Colonial forces who were to join them by way of Albany. But before they could reach the city of Quebec, they were overtaken by a violent ſtorm, and at the ſame time enveloped in ſo thick a fog, that they entirely loſt ſight of land, and could find no ſoundings or anchorage. The men of war eſcaped with extreme hazard, but eight tranſports were caſt away with their crews and ſtores:

Ill-concerted attempt againſt Quebec.

ſtores; and when the weather cleared up, a council of war was held, in which it was agreed to return home without making any farther attempt. This puſillanimous reſolution being forthwith carried into execution, they arrived at Portſmouth early in October. Scarcely had they reached the harbour, when the Admiral's ſhip, the Edgar of 70 guns, by ſome accident blew up, with a great number of perſons on board, excluſive of the ſhip's crew—and thus terminated this ill-concerted and diſaſtrous expedition.

During the receſs of Parliament the Miniſtry were chiefly engaged in ſtrengthening their intereſt by the diſtribution of new honors and promotions. Lord Raby, head of the family of Wentworth-Woodhouſe in Yorkſhire, long Reſident at Berlin, was created Earl of Strafford, and ſent Ambaſſador to Holland—a man, proud, conceited, full of party rancor and malevolence, narrow in his capacity, and obſtinate in his prejudices, but wholly adverſe to the intereſts of the Court of St. Germaine's. Sir Simon Harcourt was created Baron Harcourt, and ſoon after Lord Chancellor. The Duke of Hamilton was admitted to the honors of the Engliſh Peerage, under the title of Duke of Brandon. The Biſhop of Briſtol, on the deceaſe of the Duke of Newcaſtle, by a novelty in politics characteriſtic of a Tory and High-church Adminiſtration, was conſtituted Lord Privy Seal. The Duke of Buckingham, being made Preſident of the Council in the room of the Earl of Rocheſter, was ſucceeded in the office of Lord Steward by Earl Paulet, ſuperſeded in the Treaſury by the late promotion of Mr. Harley.

A ſingular occurrence took place about this time in Scotland, of which the Whigs in England did not fail to take the advantage. The Ducheſs of Gordon, a violent female politician, noted for her attachment to the baniſhed family, ſent as a preſent to the Faculty of Advocates at Edinburgh a medal, with a head on the right ſide and this legend, *Cujus eſt?* and on the reverſe the Britiſh iſlands with this motto, *Reddite.* A debate ariſing whether this curious donation ſhould be received, it was carried by a majority of ſixty-three voices to twelve to accept. And Mr. Dundas

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of Arniſtoun, in the name of the Faculty, returned her Grace moſt hearty thanks for this medal of their Sovereign Lord the King—hoping and being confident that her Grace would very ſoon have an opportunity to compliment the Faculty with a ſecond medal, ſtruck upon the reſtoration of the Monarch and the termination of rebellion. Advice being tranſmitted of this act of effrontery to the Duke of Queenſberry Secretary of State for Scotland, and M. Kreyenberg the Hanoverian Reſident making it the ſubject of a formal Memorial; the Lord Advocate Sir David Dalrymple, a known friend to the Proteſtant Succeſſion, was diſmiſſed from his office, on pretence of remiſſneſs in not proſecuting the Scottiſh medaliſts; while Dundas was allowed to eſcape, notwithſtanding his printing a vindication of his conduct, ſtill more impudent and treaſonable than his former proceedings. This affair was repreſented by the enemies of the Miniſtry as a deciſive proof of their ſecret bias in favor of the Pretender; and by their friends, as a trivial and idle buſineſs, not worthy of ſerious attention.

Clandeſtine negotiations with France.

The Earl of Oxford, ſenſible of the unpopularity, and probably of the folly, of the war, and unwilling to continue it with unequal ſucceſs, or to add new laurels to thoſe already acquired by the Duke of Marlborough, had, from the firſt moment of his acceſſion to power, formed the determination to conclude a peace with France; and this determination he manifeſted too ſtrongly and eagerly not to afford great advantage to a politic and penetrating adverſary. There was a certain Abbé Gualtier, an obſcure French Prieſt, who had originally accompanied Mareehal Tallard during his embaſſy to England in the late reign, and had ſince been protected by Count Gallas the Imperial Miniſter, and ſuffered to ſay maſs in his chapel. This man was choſen as the medium of intercourſe with the Court of France, and was ſent over to Paris with verbal inſtructions, importing the wiſh of the preſent Miniſters to effect a general pacification, and deſiring his Moſt Chriſtian Majeſty to propoſe to the Dutch a renewal of the conferences. The King of France, who had received the intelligence of the diſſolution of the Whig Parliament with tranſports of joy—declaring his opinion and belief, that he ſhould ſoon be

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as neceſſary to Oxford and his party, as they to him *, received this intimation with an affectation of indifference; and abſolutely refuſed to reſume the negotiations with Holland. But, in a Memorial tranſmitted by M. de Torcy to the Court of London, April 1711, he declared his willingneſs to treat through the medium of England. This overture was communicated to the States General, who acknowledged themſelves weary of the war, and ready to join in any meaſures to obtain a good peace. The whole of the ſummer was ſpent in an interchange of meſſages between the two Courts of London and Verſailles: and towards the autumn, the negotiation became accidentally public, in conſequence of the unexpected arreſt of one of the Government agents, Mr. Prior, at Deal, for want of a paſſport. Count Gallas, the Imperial Ambaſſador, expoſtulating upon this occaſion with the Earl of Oxford, was aſſured that there was no ground of alarm; for that the Queen would never conclude a peace derogatory from her engagements with her Allies. But M. Meſnager, who accompanied Mr. Prior from Paris, being inveſted with full powers on the part of the Moſt Chriſtian King; proviſional articles were actually agreed upon, September the 27th 1711, between Great Britain and France, and ſigned by the two Secretaries of State, by virtue of an eſpecial warrant from the Queen. It has been aſſerted that M. Meſnager, by the inſtigation or encouragement of Mr. St. John, ſpoke to the Queen in favor of the Pretender, whom he called "her brother;" and that ſhe did not ſeem diſpleaſed at his diſcourſe. But this is not confirmed by his own account of the negotiation. "It was eaſy to ſee," ſays this able politician, "that ſeveral who were near the Queen had inclinations favorable to the Court of St. Germaine's; but they could not make it practicable, as they all ſaid, to take any ſteps in that intereſt, without hazard to *their own*—and I never found they had a true zeal for any thing elſe."

Five days after the departure of M. Meſnager, the Miniſters communicated the Preliminaries to Count Gallas, who treated them with much ſcorn, and cauſed an Engliſh tranſlation of them to be publiſhed in a paper called

* Meſnager's Memoirs.

the

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the Daily Courant. The articles were ſeven in number, importing, 1ſtly, the acknowledgment of the Queen of Great Britain and the Proteſtant Succeſſion in the Houſe of Hanover; 2dly, an engagement to take all juſt and reaſonable meaſures to prevent the union of the Crowns of France and Spain. The third reſpects an eventual Treaty of Commerce. The fourth contains a promiſe of a ſecure barrier for Holland; the fifth, the ſame on the ſide of the Empire; the ſixth, the demolition of Dunkirk; the ſeventh, a vague engagement that the pretenſions of all the Princes and States engaged in the war ſhall be amicably diſcuſſed and regulated. Theſe looſe and general conditions excited univerſal ſurpriſe and diſtruſt. But great and juſt offence was taken at the conduct of Count Gallas, in thus diſcloſing the circumſtances of a depending negotiation; and an order was ſent him, forbidding his appearance at Court. The States General were ſcarcely leſs diſſatisfied than the Court of Vienna, at the tenor of theſe preliminary articles; which they repreſented to the Queen as a very inſufficient foundation to build upon. And it was not without great reluctance, and after the moſt preſſing inſtances, that their High Mightineſſes agreed to open the conferences afreſh on the 1ſt of January 1712—Utrecht being named as the place of Congreſs.

The Emperor, on his part, wrote a circular letter to the Electors and Princes of the Empire, exhorting them to perſiſt in the engagements of the Grand Alliance. In order to obviate any diſagreeable conſequences that might reſult from the reſentment of the Emperor, the Queen of England had ſent Earl Rivers to Hanover to aſſure the Elector, that his intereſts would be particularly attended to. Notwithſtanding which, the Elector expreſſed in warm terms his total diſapprobation of the meaſures in queſtion; and not ſatisfied with this declaration, he ordered his Miniſter, Baron Bothmar, to deliver to Mr. St. John a Memorial, which ſoon afterwards appeared in the public prints, repreſenting the pernicious conſequences of leaving Spain and the Indies in the hands of the Duke of Anjou, and the danger of ſuffering the French King to prevail in a conteſt carried on for the purpoſe of giving a King to Spain, and eventually of impoſing another upon Great Britain. This indiſcreet

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ſtep, applauded as it was by the Whig party, produced no other effect, as might eaſily have been foreſeen by any perſons not blinded by party rage, than to give extreme umbrage to the Court of London, and to lay the foundation of a dangerous miſunderſtanding between the Queen and the Elector.

About this period the Pretender, knowing the coldneſs which ſubſiſted between the two Courts, was emboldened to addreſs the Queen, in a letter not ill imagined or expreſſed—urging her, "as ſhe tendered her own honor and happineſs, to do him that juſtice to which he was entitled; in which caſe he aſſured her that no reaſonable terms of accommodation which ſhe could deſire for herſelf ſhould be refuſed by him—and declaring his readineſs to give all the ſecurity that could be deſired, of his unalterable reſolution to make the law of the land the rule of his Government—to maintain the Church of England in its juſt rights and privileges *;" but without giving the ſlighteſt intimation or hope that he might be induced to change his religion. To this letter it does not appear that any reply directly or indirectly was ever made.

Seſſion of Parliament.

The States General having at length agreed to renew the negotiation with France; the Parliament was convened for the 7th of December 1711; previous to which, great efforts were made to obtain a clear majority in the Houſe of Lords, where the Whig intereſt chiefly prevailed, but with very little ſucceſs; and the Miniſters had even the mortification to ſee the Earl of Nottingham, one of the principal leaders of the Tories for more than twenty years paſt, cloſely connecting himſelf, upon the great queſtion of peace or war, with the Whigs. This Nobleman was ſuppoſed to feel ſtrong emotions of jealouſy and diſguſt at the ſudden and ſurpriſing aſcendency acquired by the Earl of Oxford, who, in return, was no leſs tremblingly alive to the rival pretenſions of Nottingham.

The Whigs exclaimed with all the violence of party rage againſt the plan of accommodation comprehended in the Preliminary Articles, which

* Macpherſon's State Papers, vol. ii.

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they repreſented as fraught with treachery to our allies and ruin to ourſelves. The ideas inculcated by the leaders and ſwallowed by the dupes of the faction are ſtrongly though undeſignedly depictured by Biſhop Burnet; who gravely relates, that when the Queen condeſcended to aſk of him his ſentiments reſpecting peace, upon obtaining permiſſion to ſpeak his mind plainly, he told her Majeſty "that it was his opinion that any treaty by which Spain and the Indies were left to King Philip muſt, in a little while, deliver up all Europe into the hands of France: and if any ſuch peace ſhould be made, ſhe was betrayed, and we were all ruined: in leſs than three years' time ſhe would be murdered, and the fires would be again kindled in Smithfield."

In the Queen's Speech to the two Houſes, ſhe expreſſed her joy in being able to inform them, that, *notwithſtanding the arts of thoſe who delight in war*, both time and place were appointed for opening the treaty of a general peace.—By an extraordinary latitude of aſſertion, ſhe declared the ready concurrence and entire confidence of the Allies in the ſteps ſhe had taken; and ſhe, as uſual, expreſſed her concern that the ſucceſſion to the Crown ſhould be rendered ſecure to the Houſe of Hanover. An Addreſs of thanks being propoſed, the Earl of Nottingham, at the cloſe of a very eloquent and able ſpeech, much admired and celebrated at the time, and in which his Lordſhip copiouſly expatiated on the inſufficiency and precarioufneſs of the late preliminaries, and of the dangers to be apprehended from leaving a Prince of the Houſe of Bourbon in poſſeſſion of the Monarchy of Spain, moved that a clauſe might be added to the Addreſs, repreſenting to her Majeſty, "that, in the opinion of that Houſe, no peace could be ſafe or honorable to Great Britain or Europe, if Spain and the Indies were allotted to any branch of the Houſe of Bourbon." This gave riſe to a violent debate—the motion being ſupported and oppoſed by all the principal ſpeakers on each ſide. And the Duke of Marlborough in particular, conceiving himſelf to be invidiouſly pointed at in the Speech from the Throne, affirmed to the Houſe "that he could declare with a ſafe conſcience in the preſence of her Majeſty, of that illuſtrious Aſſembly, and of that ſupreme Being who is infinitely above all the powers upon earth,

earth, and before whom, according to the ordinary courſe of nature, he muſt ſoon appear to give an account of his actions, that he ever was deſirous of a ſafe, honorable, and laſting peace; and that he was far from any deſign of prolonging the war for his own private advantage, as his enemies had moſt falſely inſinuated. That his advanced age, and the many fatigues he had undergone, made him earneſtly wiſh for retirement and repoſe, having already honors and riches heaped upon him far beyond his deſert or expectation. But that he was in duty to his Country and to his Sovereign bound to declare his opinion, that no treaty of pacification, either honorable, ſafe, or laſting, could be concluded on the foundation of the ſeven preliminary articles." The previous queſtion being put upon the motion of the Earl of Nottingham, it was carried in the affirmative by a ſingle vote, and the main queſtion by eight voices (ſixty-two to fifty-four) againſt the utmoſt efforts of the Court*. On preſenting the Addreſs, the Queen coldly replied, "that ſhe ſhould be very ſorry any one could think ſhe would not do her utmoſt to recover Spain and the Weſt Indies from the Houſe of Bourbon." On the other hand, the Addreſs of the Commons was expreſſed in the higheſt ſtrain of ſatisfaction and loyalty. They aſſured her "that they would uſe their utmoſt endeavors to diſappoint as well the arts and deſigns of thoſe *who for private views might delight in war*, as the hopes the enemies might have vainly entertained of receiving advantage from any diviſion among them."

In another inſtance the aſcendency of the Oppoſition in the Houſe of Peers conſpicuouſly ſhewed itſelf, to the great chagrin of the Court. The Duke of Hamilton, lately created Duke of Brandon, claiming the place

* The defection of the Earl of Nottingham is thus ludicrouſly ſatirized in a periodical publication of the times—ranking, by conjecture, among the wicked lampoons of Swift: "Whereas a very tall, thin, ſwarthy-complexioned man, between ſixty and ſeventy years of age, wearing a brown coat with little ſleeves and long pockets, has lately withdrawn himſelf from his friends, being ſeduced by wicked perſons to follow ill courſes—Theſe are to give notice, that whoever ſhall diſcover him ſhall have ten ſhillings reward—or if he will voluntarily return, he ſhall be kindly received by his friends, who will not reproach him for paſt follies, provided he give good aſſurances that for the future he will firmly adhere to the Church of England, in which he was ſo carefully educated by his honeſt parents."

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which appertained to him in that quality, was oppoſed by many of the Engliſh Lords, who conceived ſuch aſſumption to be incompatible with the Act of Union, as giving a power to the Crown to introduce a greater number of Scottiſh Peers into the Houſe, than were allowed by the Act. After a vehement debate, the claim of the Duke was rejected, notwithſtanding the precedent of the Duke of Queenſberry admitted to ſit as Duke of Dover, by 57 to 52 voices. The Scottiſh Peers were much enraged, and not without reaſon, at this determination, and ſigned a Repreſentation to the Queen, complaining of it as a breach of the Union, and a mark of diſgrace put upon the whole Peerage of Scotland, who were thus ſtigmatized as the only deſcription of perſons in the realm incapable of being admitted to the honors of the Engliſh Peerage.

Occaſional Conformity Bill paſſed.

The Occaſional Conformity Bill, having miſcarried three times, had lain dormant for ſeven years, till it was at this period revived by the Earl of Nottingham, with the acquieſcence of the Whigs, to whom he declared, that without this Bill he ſhould be only an individual, but with it an hoſt. The chiefs of the party knowing, from the temper of the times, that a Bill of this nature would certainly paſs, were willing, and even deſirous, that Lord Nottingham ſhould conciliate the confidence of the zealous Churchmen by being himſelf the mover of it, eſpecially as the penalties of the propoſed Bill were much milder than they would probably have been if introduced under the auſpices of the Court. In conſequence of this previous agreement, the Bill paſſed through both Houſes with ſilence and rapidity. The Diſſenters, however, who did not comprehend theſe political and courtly manœuvres, loudly complained that they were deſerted by their friends, who endeavored in vain to perſuade them that they conſulted their intereſt in conſenting to their oppreſſion.

Duke of Marlborough diſmiſſed from his employments.

During the Chriſtmas receſs of Parliament, matters having now attained to ſufficient maturity, the Duke of Marlborough was diſmiſſed from all his employments, by a letter under the Queen's own hand. The charges brought againſt him in the Houſe of Commons reſpecting

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the perquiſites received by his Grace as Commander in Chief of the Forces of Great Britain, was made the pretext for his diſgrace. For, on the 30th of December, the Queen declared in Council, "that, an information being laid againſt the Duke of Marlborough, by the Commiſſioners of Public Accounts, ſhe thought fit to diſmiſs him from all his employments, that the matter might take an impartial examination." And this declaration was entered in the Council Books. The Duke, in his anſwer, told the Queen, "That if the inveteracy of his enemies had not been more powerful with them than the conſideration of her Majeſty's honor and juſtice, they would not have influenced her to impute the occaſion of his diſmiſſion to a falſe and malicious inſinuation contrived by themſelves, and made public when there was no opportunity for him to give in his anſwer." And he concludes with wiſhing "that her Majeſty might never find the want of ſo faithful a ſervant, as he had always endeavored to approve himſelf to her." By an artifice characteriſtic of Lord Oxford, the command of the Queen's forces in Flanders was offered to the Elector of Hanover; which he refuſing, as was clearly foreſeen, to accept, the Duke of Ormond was appointed Captain-General of all her Majeſty's forces at home and abroad.

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The Whig intereſt ſtill preponderating in the Houſe of Lords; a reſolution was taken to create twelve new Peers, in order to ſecure a majority for the Court. This gave riſe to much clamorous exclamation. Sir Miles Wharton, being offered a Peerage on this occaſion, rejected it with diſdain, ſaying, "that formerly Peerages were the reward of ſervices done; but now it appeared they were merely a compenſation for ſervice to be done." The 2d January 1712 the twelve new Peers were introduced into the Houſe; and the Scottiſh Lords being now alſo arrived, the Court acquired a decided and permanent majority;—though Mr. Secretary St. John ſcrupled not to ſay, "that if thoſe twelve had not been enough, they would have given them," i. e. the Whigs, "another dozen." When the uſual queſtion of adjournment was about to be put, the Earl of Wharton excited mirth by aſking, "Whether they meant to vote individually, or by their foreman?"

Creation of twelve Peers.

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At this critical period the Miniſters were embarraſſed by an unexpected and unwelcome viſit from Prince Eugene, who, on the diſmiſſion of Count Gallas, was charged with inſtructions from the Emperor to repreſent to the Queen in terms the moſt urgent the fatal conſequences which would attend the defection of England from the Alliance, and to propoſe a new plan for the future conduct of the war, in which his Imperial Majeſty would take upon himſelf a larger proportion of the burden than had been required from his predeceſſors, Leopold and Joſeph. The remonſtrances of his Highneſs produced no effect; but he was treated with all the external demonſtrations of eſteem and reſpect by the Queen, and entertained with great magnificence by the Miniſters, particularly by the Lord Treaſurer, who, it is ſaid, declared in polite terms to the Prince the pride he felt in having for his gueſt the firſt General in Europe. "If I am," ſaid his Highneſs, "it is to your Lordſhip I am indebted for it"—alluding to the recent diſmiſſion of the Duke of Marlborough. The Prince received, however, poſitive aſſurances of concurrence in a vigorous proſecution of the war.

To ſhew his zeal for the Proteſtant Succeſſion, the Lord Treaſurer, at the ſuggeſtion of the Duke of Devonſhire, who had given notice of a motion for the ſame purpoſe, brought in a Bill giving precedence to the whole Electoral Houſe, as part of the Royal Family—which by an emulation of eagerneſs paſſed both Lords and Commons in the ſpace of two days.

Mr. Walpole, late Secretary at War, having by his activity, eloquence and knowledge of buſineſs rendered himſelf extremely obnoxious to the Tories; advantage was taken of an act of indiſcretion on his part when in office, not only to expel him the Houſe, but commit him to the Tower. The caſe was this: Mr. Walpole, in contracting with certain perſons for the article of forage, was deſirous that a friend might be admitted to a participation of the profits; in lieu of which, the contractors agreed to give him five hundred guineas for his ſhare of the ſame. But the name being

being concealed, a bill for the amount was paid into Mr. Walpole's hands and indorſed by him. On a ſtrict examination, it appeared that no part of the money was retained by Walpole; but the Houſe nevertheleſs voted the acceptance of it to be an act of corruption—and proceeded to expulſion and commitment. The cenſures of the Houſe were treated by the friends of Mr. Walpole with contempt; and he was immediately re-choſen by the Borough of Lynn Regis. Upon which the Houſe came to a remarkable reſolution, "that Robert Walpole, Eſq. having been this ſeſſion of Parliament committed a priſoner to the Tower of London, and expelled this Houſe for an high breach of truſt in the execution of his office, and notorious corruption when Secretary at War, was and is incapable of being elected a Member to ſerve in this preſent Parliament."

Debates of the Barrier Treaty.

Another buſineſs of far greater conſequence next engaged the attention of the Houſe; viz. the conſideration of the Barrier Treaty with the States. As on the one hand it was a great object with the late Whig Miniſters to obtain the guarantee of Holland in ſupport of the Proteſtant Succeſſion, it was a no leſs favorite point with the States, that England ſhould guaranty to them in return the quiet poſſeſſion of their barrier in Flanders. And a Treaty containing theſe reciprocal conditions was ſigned by Lord Townſhend at the Hague, October 29, 1709, wherein the barrier was ſettled to conſiſt not merely of ſuch places as acknowledged the ſovereignty of the Crown of Spain, but of ſeveral very important towns captured during the courſe of the war from France—as Liſle, Tournay, Menin and Douay. This Treaty was regarded by the preſent Miniſters as a grand obſtacle in the way of peace, which could not too ſoon be removed. And though it had been ſolemnly ratified by the Queen, it was now condemned without reſerve by the Houſe of Commons, who came to divers Reſolutions upon the ſubject, importing: 1ſtly, "That in the Treaty for ſettling a Barrier, &c. under *colour* of ſecuring the Proteſtant Succeſſion, were ſeveral articles deſtructive to the intereſt of Great Britain, and highly diſhonorable to her Majeſty. 2dly, That Lord Viſcount Townſhend had not any orders or authority for

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for negotiating or concluding ſeveral articles in that Treaty. 3dly, That Lord Viſcount Townſhend, who ſigned, and all thoſe who adviſed the ratifying of that Treaty, were enemies to the Queen and Kingdom." The States General, aſtoniſhed and alarmed at theſe proceedings, wrote a very reſpectful letter to the Queen, ſtating the neceſſity of a powerful barrier for the ſecurity of England as well as Holland, and expreſſing their readineſs to explain or modify any articles of the Treaty, which ſhould not eſſentially affect the preſervation of the Dutch Nation, and entreating her Majeſty to continue towards them that *precious friendſhip* and goodwill with which ſhe had hitherto honored them." But the current now ſet ſtrongly againſt them; and the Houſe of Commons, in an inflammatory Repreſentation to the Queen, charged the Allies in general, and the States General in particular, with having been groſsly deficient in furniſhing their quotas of men and money; and, in anſwer to their various memorials, they received only a cold and vague aſſurance from the Queen, "that ſhe would contribute what was in her power towards the ſatisfaction of the States General, without abandoning the intereſt of her own Kingdoms *."

Scottiſh Toleration Bill.

One of the moſt laudable meaſures of this High Church and Tory Parliament was the Bill brought in for granting a Toleration to the Scottiſh Epiſcopalians. The General Aſſembly of Scotland, alarmed at ſo daring and dangerous an attack upon the rights of the CHURCH, on the firſt intimation of this Bill drew up a large Repreſentation to the Queen, ſetting forth, "that the Act of 1707 for ſecuring the Proteſtant Religion and Preſbyterian Government in Scotland was declared to be an eſſential and fundamental condition of the Treaty of Union—that they could not but expreſs, therefore, their ſurpriſe and affliction to hear of a Bill offered for ſuch a large and almoſt boundleſs toleration, not only threatening the overthrow of their Church, but giving a licenſe to errors and blaſphemies, &c. to the diſhonor of God, the ſcandal of Religion, and the confuſion of that Church and Nation. And they did beſeech, nay obteſt her Majeſty by the mercy of GOD, to interpoſe her authority againſt

* Tindal, vol. v. p. 455—463.

ſuch

ſuch a manifeſt and ruining encroachment." Notwithſtanding this rancorous oppoſition of the GODLY in Scotland the Bill paſſed, with a remarkable clauſe prohibiting the Magiſtrates of that kingdom in future to execute the ſentences of the Judicatories of the Kirk, which was by this means diveſted of its temporal terrors; and as its ſpiritual cenſures have gradually fallen into contempt, it is now only the phantom of its former ſelf. This Bill was accompanied by another for reſtoring the right of Patronage; which paſſed with little oppoſition, though certainly incompatible with the Act of Union, and, as it was alſo pretended by the rigid Preſbyterians, to "Scriptural warrant."

On the 6th of June 1712, the Queen came to the houſe of Peers, and ſtated to the two Houſes, in a long ſpeech, the terms on which peace might be made; for ſuch was the caution of the Lord Treaſurer, that he was determined to conclude nothing without the previous ſanction of Parliament. The Houſe of Commons, with little difficulty, and the Houſe of Lords after high debate, preſented Addreſſes of approbation; ſoon after which, the Parliament was prorogued.

Congreſs held at Utrecht.

Although the firſt day of the new year had been nominated for opening the Congreſs, the conferences did not commence till the 29th January, 1712; when the Biſhop of Briſtol, Lord Privy Seal, repairing to the appointed place in great pomp, attired in velvet robes, with his train borne by two pages, addreſſed the Aſſembly in a ſet ſpeech, particularly and earneſtly recommending "clearneſs, openneſs and ſincerity in the conduct of the preſent negotiation;"—although the conduct of the Britiſh Miniſters had been and continued to be replete with *fineſſe*, duplicity and deceit. The propoſitions ſigned by M. Meſnager were declared to be the baſis of the Treaty; for the Congreſs had not the leaſt notice or intimation of the proviſional articles ſigned on the part of France and England. The Miniſters of France, at the deſire of the Allies, gave in their *projêt* of Peace, February 11, and it was couched in ſo high a ſtrain as to excite the greateſt amazement. The Abbé de Polignac had previouſly declared the propoſitions made at Gertruydenberg, to which the Imperial Mini-

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ſter, Count Zinzendorf, wiſhed to advert, to be no longer exiſting; and all the King of France now offered was to recognize the title of the Queen of Great Britain, and the ſucceſſion of the Crown in the Houſe of Hanover, at the ſigning of the Peace; to demoliſh the fortifications of Dunkirk for a ſatisfactory equivalent; to cede the iſland of St. Chriſtopher, Hudſon's Bay, and Newfoundland excepting Placentia, to England; and to add to the preſent Dutch barrier the towns of Furnes, Ypres, Menin, and Fort Knoque. At the ſame time his Moſt Chriſtian Majeſty demanded, in order to form the barrier of France, Aire, St. Venant, Bethune, and Douay, with their dependencies; that the frontier on the ſide of the Empire and of Italy ſhould be the ſame as before the war—or, in other words, that Landau, Feneſtrella, and Exilles, ſhould be reſtored to France—that the Low Countries ſhould be given to the Elector of Bavaria; and that Liſle and Tournay ſhould be conſidered as the equivalent for Dunkirk. Finally, his Moſt Chriſtian Majeſty engaged, that the King of Spain do relinquiſh all his pretenſions to Naples, Sardinia, and Milan, in favor of the Emperor. On the other hand, a counter-project was given in on the part of the Allies, in which the Engliſh Plenipotentiaries inſidiouſly, and in contradiction to the ſecret preliminaries, joined with the reſt of the Confederate Powers in demanding the reſtitution of the whole Spaniſh Monarchy to the Houſe of Auſtria. And a ſpecific anſwer in writing was inſiſted upon from the French Miniſters. But this the Marechal D'Uxelles refuſed, and propoſed to enter into verbal conferences upon the ſubject. Upon this difference, the negotiation ſeemed for many weeks at a ſtand: and Lord Strafford and the Biſhop of Briſtol, in their diſpatch of April 15, ſay, "they do not find the French are much convinced of the neceſſity of diſpatch—and when any thing is let fall of breaking off the conferences, they ſeem to take it with a great air of indifference, well knowing their buſineſs was not to be done at Utrecht, but by a negotiation carried on directly between London and Verſailles." About this period, Mr. Thomas Harley, a near relation of the Treaſurer, and the Abbé Gualtier arrived at Utrecht, by whom a plan for a general peace was imparted to the Engliſh Plenipotentiaries, without the leaſt communication with the reſt of the

the Allies. Only the Dutch were vehemently urged, as they had already repeatedly been, "to come into the Queen's meaſures; otherwiſe ſhe would conſider herſelf as diſcharged from all obligation towards them." The States at length thought proper to ſend a ſolemn deputation to the Earl of Strafford (April 28), to know authoritatively what the Queen's meaſures were. But this Nobleman declined to enter into particulars, declaring nevertheleſs, for their ſatisfaction, "that her Majeſty's intentions were, that her troops ſhould act with the ſame vigor againſt France as if there were no negotiation on foot." And this declaration the Earl repeated the ſame evening in a conference with Prince Eugene and Count Zinzendorf.

Campaign in Flanders.

In the month of April, the Confederate army took the field under the Prince of Savoy, whom their High Mightineſſes had appointed Captain General of their forces. The Duke of Ormond, arriving at the Hague nearly at the ſame time, gave all poſſible aſſurances to the Penſionary of a cordial and confidential co-operation with the Allies, and eſpecially the Dutch. On the ſubſequent junction of the armies, a good underſtanding ſeemed to prevail between the two Generals; and about the middle of May, the Prince propoſing to paſs the Scheld and attack the French, or, if they appeared too ſtrongly poſted, to inveſt the town of Queſnoy, it was aſſented to by the Duke without heſitation. But within a few days after this movement had taken place, the Duke of Ormond received poſitive orders from Mr. Secretary St. John to avoid engaging in any ſiege or hazarding a battle; and deſiring him, at the ſame time, to diſguiſe the receipt of this order—adding, that it had been communicated to the Court of France; and if M. Villars ſhould take any private notice of it, the Duke was to anſwer accordingly. It is impoſſible to conceive a more difficult or delicate ſituation than that into which the Duke of Ormond was thrown by theſe inſtructions; and had he not been moſt ſtrongly attached to the preſent Adminiſtration and their meaſures, he would doubtleſs have inſtantly reſigned a command which he could no longer exerciſe with honor. And, indeed, notwithſtanding the violence of his party zeal, his own noble and ingenuous nature recoiled from the execution of

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the infamous taſk impoſed upon him. Though in his anſwer to Mr. St. John, May the 25th, he promiſed obedience and ſecrecy, he declared "the difficulty of diſguiſing the true reaſon of his conduct, having no excuſe for delays." And the Duke receiving a letter from M. Villars congratulating him on the intelligence which had juſt reached him from Paris, "that they were to be no longer enemies," ſignified to the Marechal the orders he alſo had received from the Queen of England.

Fatal ceſſation of arms.

On the 8th of June the Duke, having been in the interval ſtrongly preſſed to co-operate actively with the Allies, ſtated to Mr. St. John "the extreme uneaſineſs of his ſituation. Many of the Allies ſcrupled not openly to ſay, they were betrayed. If he was reſtrained from action, he ſaw no uſe in remaining in his preſent ſituation, and he deſired leave to return to England. But in all things he profeſſed to ſubmit to her Majeſty's pleaſure." Queſnoy was at length inveſted, and the Duke with difficulty, and not without ſecret expoſtulation from M. Villars, aſſented to furniſh ſixteen battalions of troops in the joint pay of England and Holland to carry on the ſiege. The ſeparate negotiations between England and France were by this time far advanced, and the renunciation by the King of Spain, of the right of ſucceſſion to the Crown of France, being at length obtained, and a promiſe made of the temporary ſurrender of Dunkirk to the Engliſh, as a pledge of the ſincerity of the Moſt Chriſtian King, orders were tranſmitted to Ormond to conclude an armiſtice with M. Villars. This intelligence, when communicated to Prince Eugene and the Deputies of the States, was received with indeſcribable indignation. His Highneſs told the Engliſh General, "that the ſeceſſion of the Engliſh troops and forces in Britiſh pay would leave them to the mercy of the French; but that he was ſure the forces would not march. He expoſtulated with him on the unparalleled baſeneſs of this violation of national faith and honor, and the danger and ruin which might enſue upon this deſertion." The Duke was immoveable. He ſaid it belonged not to him to enter into theſe particulars—that the Queen's commands were poſitive; and he cauſed the ſuſpenſion of hoſtilities to be proclaimed June the 25th, by ſound of trumpet: but the foreign

reign troops in the pay of Great Britain unanimouſly refuſed to obey his Grace's orders. CHAP. VI. 1712.

Notwithſtanding the departure of Ormond, Prince Eugene immediately on the ſurrender of Queſnoy inveſted Landrecy: but the hiſtory of this campaign, conſequent to the ſeparation of the Britiſh forces, is the recital of a continued ſeries of loſſes and diſaſters. Marechal Villars, after defeating a part of the Allied army at Denain, proceeded to Marchiennes, which contained the Prince's grand *depôt* of military ſtores. After the reduction of Marchiennes, he undertook the ſiege of Douay, which compelled the Prince to raiſe that of Landrecy, without however being able to ſave Douay. And before the end of the campaign, the French alſo retook Queſnoy and Bouchaine: ſo that the triumph of Villars was complete, and the Allies were overwhelmed with ſhame and conſternation. Diſaſters of the Allies.

Various obſtacles ariſing to the concluſion of the Treaty ſo earneſtly and impatiently ſought by the Britiſh Court, Mr. Secretary St. John, now created Lord Viſcount Bolingbroke, was diſpatched in perſon early in the month of Auguſt to the Court of Verſailles, in order to obviate all the remaining difficulties. He was received by the French Monarch with all imaginable marks of diſtinction; and in a ſhort time the object of his miſſion being in great part effected, a ceſſation of arms by ſea and land for the ſpace of four months was agreed upon. In the mean time the negotiations at Utrecht proceeded ſlowly and heavily. The Earl of Strafford, in his letter of the 13th of September, repreſents the States "as mightily ſunk with their misfortunes, and not knowing well what meaſures to take; but that they inſiſted upon Tournay as ſo eſſential to their barrier, that they had actually none without it." In anſwer, Lord Bolingbroke owned "that the King of France was now encouraged to refuſe what he at firſt only endeavored to ſave; in ſhort, that France had now gathered ſtrength by our diviſions, and was grown ſanguine enough to make that plan the ultimatum of her conceſſions, which was at firſt nothing more than the ultimatum of her offers: but that the

Dutch

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Dutch had nobody to blame for all this but themſelves." At length their High Mightineſſes, deſcending from that loftineſs they could no longer ſupport, declared (October the 9th), "that, for the good of peace, the States were willing to yield Liſle to France, and recede from their pretenſions to have Douay, Valenciennes and Maubeuge, which they had hitherto inſiſted upon; provided Condé and Tournay were included in their barrier, the tariffs of 1664 reſtored, and that Sicily be yielded to the Emperor, and Straſburg to the Empire." This was a propoſition which the Engliſh Court acknowledged to be entitled to regard and conſideration; but new obſtacles every day preſented themſelves—the French appearing more and more ſenſible of the ſuperiority they had ſo ſtrangely acquired, and to repent of the conceſſions they had been induced to make; inſomuch that Lord Bolingbroke complained, in his diſpatches to Mr. Prior, of "the perpetual cavils and chicaneries of the French, who, he affirmed, had neither acted fairly nor wiſely." And in another letter he ſays, "The French want to bubble us out of the advantages which they had ſolemnly yielded;" and he exclaims, "By Heaven! they treat like pedlars, or, which is worſe, like attornies!" The negotiation, nevertheleſs, gradually proceeded. In October, Lord Lexington was appointed to go as Ambaſſador to Spain; and the renunciation of King Philip being drawn up in form, his Majeſty ſigned it November the 5th, and ſwore upon the holy Evangeliſts to obſerve it, in preſence of the Council of State and of the chief Nobility; after which, the Cortez of Spain being ſummoned to meet at Madrid, the King went in ſtate to that Aſſembly, and declared to them, "that the efforts which the Nation had made with ſo much zeal and fidelity to ſecure his Crown in two perilous emergencies, were of ſuch a nature as never to be forgotten. In order, therefore, to ſhew his gratitude, to procure peace for his people, and to be never ſeparated from them, he renounced all pretenſions which either himſelf or his iſſue might have to the Crown of France; and deſired them to give their conſent to it." Upon this, the Cortez confirmed and approved the renunciation; and the Crown of Spain, after King Philip's poſterity, was limited to the Houſe of Savoy. The like renunciation was made ſome months after

by the Princes of France to the Crown of Spain: and King Philip was declared incapable of ſucceeding to the Crown of France. In November, a farther ſuſpenſion of arms was agreed upon for four months, to which Portugal acceded. And the Britiſh forces in that kingdom were immediately recalled; as they had already been from Catalonia, in defiance of the utmoſt reſentment of the Emperor, and to the conſternation of the poor Catalans, who now ſaw themſelves abandoned by their pretended protectors, and delivered up to the mercy of their offended Sovereign.

At this period, the Duke of Hamilton, ſo long noted for his attachment to the Stuart family, was appointed Ambaſſador Extraordinary to the Court of France: but his Grace being killed in a duel with Lord Mohun, who himſelf alſo fell in the bloody conteſt, he was ſucceeded by the Duke of Shrewſbury.

Towards the end of the year, the Britiſh Plenipotentiaries at Utrecht ſignified to the States, that, if they would ſign the Preliminaries of Peace in conjunction with England, Tournay ſhould be added to their barrier. Their High Mightineſſes acceding to this propoſition, a new Barrier Treaty was concluded, differing from the former ſo much inveighed againſt only by its inferiority of ſtrength and ſecurity. It was not, however, till the month of April 1713 that the Britiſh Plenipotentiaries declared to the Miniſters of Holland and the Emperor, that they were ready, with the Miniſters of Pruſſia, Portugal and Savoy, to ſign their reſpective Treaties. The Imperial Ambaſſadors replied, that neither they nor the Miniſters of the Empire were ready to ſign, nor would they hearken to peace without the reſtitution of Straſburg. And they entered a formal proteſtation againſt the Treaty. But the Dutch thought proper to comply—equally proof againſt the menaces and entreaties of the diſſentient parties. And on the 11th of April 1713, the Treaty of Utrecht was completed. By this famous Treaty the Proteſtant Succeſſion was recognized by France, and the Pretender compelled to depart that kingdom: the union of the two Monarchies of France

Treaty of Utrecht ſigned.

and

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and Spain was provided againſt by mutual and ſolemn renunciations; the harbor of Dunkirk was demoliſhed, and the fortifications razed; Acadie, Hudſon's Bay, Newfoundland and St. Chriſtophers ceded in full right to England. Naples, Milan, and the Spaniſh Netherlands were yielded to the Emperor, together with Landau, Briſac and Fort Kehl on the ſide of Germany.—Sicily, by the particular and partial interpoſition of the Queen of England, was forcibly disjoined from Naples, and tranſferred to the Duke of Savoy with the regal title. And, in addition to the places actually poſſeſſed by the Dutch, Luxemburg, Namur, Charleroi, Ypres and Nieuport were aſſigned to the States as a perpetual barrier. His Imperial Majeſty was allowed to the 1ſt of June, to declare his acceptance or non-acceptance of the terms propoſed.

Seſſion of Parliament.

No ſooner had this important intelligence reached London, than the Parliament was aſſembled; and the ſubſtance of the Treaty being laid before them, an Addreſs of congratulation was preſented by the two Houſes, whoſe example was followed by moſt of the Corporate Bodies, accompanied by great public rejoicings. In a few weeks Mr. Benſon, Chancellor of the Exchequer, offered to the Houſe of Commons copies of the Treaty of Peace with France, and alſo of Commerce, by which the manufactures of each Kingdom were admitted into the other, upon the payment of very low *ad valorem* duties. Political artifice and commercial prejudice being combined in oppoſition to this wiſe meaſure, the Bill for rendering the Treaty of Commerce effectual, was after violent debates rejected by a majority of 194 to 185 voices.

Attempt to diſſolve the Union.

The Scottiſh Peers being extremely exaſperated at the determination of the Houſe of Lords excluding them from the honors of the Engliſh Peerage, and the Scottiſh Nation being alſo equally enraged at the recent impoſition of a heavy additional duty on malt, contrary, if not to the letter, at leaſt to the ſpirit of the Treaty of Union, which enacted that no duty ſhould be laid on malt in Scotland during the war; a motion was made by the Earl of Findlater for leave to bring in a Bill for diſſolving the Union. This, for the ſake of embarraſſing the Miniſtry, was warmly ſupported

ported by the Whig Lords, Sunderland, Townſhend, Halifax, &c. who had once ſo zealouſly ſupported that meaſure. And, on the other hand, it was deſtined to be oppoſed by the Tories, who were the original and vehement oppoſers of the Union. The Lord Treaſurer having intimated in the courſe of the debate the poſſibility of remitting the duty in queſtion by virtue of the prerogative; the Earl of Sunderland expreſſed his aſtoniſhment that ſuch deſpotic principles, tending to the eſtabliſhment of a diſpenſing power in the Crown, ſhould be avowed or countenanced by the noble Lord. To this the Lord Treaſurer ſarcaſtically replied, "that *his* family had never diſtinguiſhed themſelves, as others had done, by adviſing arbitrary and deſpotic meaſures." Lord Sunderland, nettled at the alluſion to his father, retorted by obſerving, that, in thoſe times to which ſuch unfair reference was made, the noble Lord's family was ſcarcely known. The queſtion being put upon Lord Findlater's motion, it was negatived in a very full Houſe by a majority of four voices only—the numbers being 71 to 67 Peers, including proxies.

The ſentence of ſuſpenſion paſſed upon Dr. Sacheverel expiring about this time, great rejoicings were made upon the occaſion; and he was appointed to preach before the Houſe of Commons on the 29th of May; which was followed, excluſive of the uſual and empty compliment of thanks, by a preſentation on the part of the Court to the lucrative rectory of St. Andrew's Holborn.

Debts of the Crown diſcharged.

Towards the end of the ſeſſion a royal meſſage was ſent to the Houſe of Commons, acquainting them with the incumbrances under which the civil liſt now labored; and a grant for the ſum of 500,000l. was moved to diſcharge the debts of the Crown. The friends of the Earl of Godolphin, recently deceaſed, expreſſed their aſtoniſhment at this demand; and Mr. Smith, late Chancellor of the Exchequer, averred, "that to his certain knowledge the debts on the civil liſt did not in the month of Auguſt 1710 amount to 150,000l.—a trifling ſum, when the annual appropriation of one hundred thouſand pounds towards the expence of the war, the charge of maintaining the Palatines, of building Bleinheim-houſe, &c.

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were taken into conſideration. It was intimated that the ſtatement was deceitful, and that the real object was to ſecure a large ſum, in order to influence the approaching General Election. And it was urged to be a moſt dangerous precedent for the Houſe to grant ſuch a demand, as the ſame compliance would be expected by all future Princes." But it was finally carried in a thin Houſe, and when the majority of the Members, ſuſpecting no ſuch thing, and the ſummer being now far advanced, had retired to their ſeats in the country.

At the motion of the Earl of Wharton and General Stanhope, Addreſſes were preſented to the Queen by both Houſes, humbly beſeeching her Majeſty to uſe the moſt preſſing inſtances to obtain the removal of the Pretender from Lorraine, whither he had recently retired, not without the ſecret approbation of the Court of London. And the Addreſſes paſſed with the cold and reluctant acquieſcence of the Tories, who dared not openly to oppoſe. It being aſked, naturally enough, in the courſe of the diſcuſſion, where the ſupporters of the motion would have the Pretender reſide, the Earl of Peterborough, who could ill ſupport the guiſe and ſemblance of Toryiſm, with warmth replied, "that ſince he began his ſtudies in Paris, the fitteſt place for him to improve himſelf was Rome." The object of the Addreſſes ſeemed, to thoſe untainted with the ſpirit of faction, incompatible with the national dignity, and indicated a weak and captious jealouſy. Sir William Whitlocke obſerved, "that he remembered a ſimilar addreſs being preſented to the Protector, for the removal of Charles Stuart from France; notwithſtanding which, he was in a ſhort time after reſtored to the throne." The Queen returned a gracious anſwer; but her "preſſing inſtances" to the Duke of Lorraine produced no effect. On the 16th of July, 1713, the Parliament was prorogued, and in a ſhort time after diſſolved by proclamation.

The celebrated Sprat, Biſhop of Rocheſter, dying at this juncture, was ſucceeded by Atterbury, late Prolocutor of the Convocation; as was Compton of London by the Biſhop of Briſtol. The Earl of Dorſet, one of the laſt Whigs in office, was removed from his Government of Dover

Caſtle, which was given to the Duke of Ormond; and the Duke of Athol, a notorious Jacobite, ſuperſeded the Duke of Montroſe as Lord Privy Seal of Scotland. Nearly at the ſame time the Privy Seal of England was conſigned to the Earl of Dartmouth, Mr. Bromley being in his room appointed Secretary of State; and Sir William Wyndham ſucceeded Mr. Benſon as Chancellor of the Exchequer.

Miniſterial diſputes and cabals.

The peace with France was ſucceeded by new and alarming cabals and intrigues at home. The Lord Treaſurer ſtood in the ſingular predicament of being equally hated by the Whigs and Jacobitical Tories: by the firſt for having done too much, and by the latter too little, for the Pretender's intereſt. OXFORD and BOLINGBROKE, the two principal leaders of Adminiſtration, had been long at variance*, and the diſſenſion between them now became open and public. Oxford was a man not remarkable for capacity; but long and intimately converſant in buſineſs, cloſe, plauſible, ſubtle, jealous, intriguing, and ambitious. He aimed at engroſſing the entire confidence of the Queen, and the ſole management of affairs; and inſtead of admitting Bolingbroke to the rank of a co-adjutor, he viewed him with the meanneſs of fear and ſuſpicion, as a competitor by whom he dreaded to be eclipſed, and perhaps ſupplanted. On the other hand, Bolingbroke, finding himſelf regarded in the light of a rival, made no ſcruple to become ſo. This celebrated Nobleman, excluſive of the exterior and perſonal advantages by which he was diſtinguiſhed, was poſſeſſed of abilities of the firſt order—of manners the moſt captivating, of eloquence the moſt commanding. In almoſt every thing the reverſe of the Earl of Oxford, his temper was open and generous; his conduct, both in public and private life, high-ſpirited and magnanimous; and his meaſures bold and deciſive. Equally with Oxford the ſlave of ambition, and leſs ſcrupulous in the means of gratifying it, there was good reaſon to fear leſt a Miniſter of this deſcription, in order to ſecure the favor of the Sovereign, who cheriſhed a ſecret but inveterate diſlike to the Houſe of Hanover, would engage with ardor in the proſecution of projects which the phlegmatic caution of Oxford would deem romantic and impractica-

* Earl of Oxford's Memorial to the Queen.

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ble; and which were alſo abhorrent from his feelings and principles. While Oxford entirely loſt the confidence of the Tories, which indeed he never perfectly poſſeſſed, by his ſlowneſs, duplicity and indeciſion; Bolingbroke gained ground, both with the Queen and the Faction, by the ſuperiority of his talents, his firmneſs and vigor. Reſolute and daring, from that conſciouſneſs of genius which led him to place an entire reliance upon the reſources of his own mind, he very early acquired, and ever after maintained, in a degree which no political leader ſince the death of Shafteſbury had ever been able to attain, the moſt ſurpriſing aſcendency over the opinions of all his political aſſociates. It is difficult to conjecture, however, under what pretence or color any attempt could have been made to ſubvert the Proteſtant Succeſſion, for which both parties publicly and uniformly profeſſed the moſt zealous attachment, and which was regarded as ſacred by a very great majority of the Nation. "The art of the Whigs," ſays Lord Bolingbroke himſelf, "was to blend as undiſtinguiſhably as they could all their party intereſts with thoſe of the Proteſtant Succeſſion; and they made juſt the ſame factious uſe of the ſuppoſed danger of it, as the Tories had endeavoured to make ſome time before of the ſuppoſed danger of the Church*." And there is every reaſon to believe, that if the Tories had taken any ſerious ſteps with a view to effect the reſtoration of the exiled family, they would inſtantly have loſt all credit and influence both with the Parliament and the Country. On the change of Adminiſtration, the Earls of Oxford and Rocheſter, the Dukes of Shrewſbury and Buckingham, &c. wrote to the Electoral Court of Hanover, through the medium of Lord Rivers and Mr. Thomas Harley, couſin to the Treaſurer, ſucceſſively deputed thither, letters full of proteſtations of their zeal for its intereſt. The Earl of Rocheſter, in particular, congratulated his Electoral Highneſs upon "affairs being now in a better train, with reſpect to the ſucceſſion, than heretofore"—alluding probably to the oppoſition made by the Whigs to the project of the Tories for bringing over the Princeſs Sophia. And the Miniſter Harley declares, "that the late changes have given the greater and better part of the Nation an opportunity to expreſs their duty to that Serene Houſe†."

* Letter to Sir William Wyndham. † Macpherſon's Papers, vol. ii.

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It is certain that the indiſcreet interference of the Elector relative to the negotiations with France, and the Memorial or Remonſtrance preſented by his Ambaſſador in London againſt the Project of Peace, gave extreme offence to the Queen; and from this period ſhe entertained, as it appears, frequent diſcourſes on the ſubject of her *brother's* reſtoration; and even expreſſed herſelf at times, though with great caution, in terms favorable to it. In a conference held by Mrs. Maſham with M. Meſnager, that lady acknowledged her Majeſty's ſecret inclination in favor of her *brother*, ſaying "that it would be an inexpreſſible ſatisfaction to her Majeſty to ſee herſelf delivered from the fatal neceſſity of doing ſo much wrong; and, if it could be poſſible *with ſafety to the religion and liberty of her ſubjects*, to have her BROTHER reſtored to his right, at leaſt after her deceaſe, if it could not be done before." She acknowledged, however, that the Queen did not ſee how this could be done—her brother being the object of the rage and irreconcileable averſion of the people. And in a letter ſubſequently written by Mrs. Maſham to M. Meſnager, dated March 2, 1712, ſhe tells him, "that the Court of St. Germaine's are fallen into the hands of my Lord Treaſurer, who ſhe doubts not values himſelf upon having deceived them."

The Duke of Leeds aſſured Leſley, the famous Non-juring Clergyman, that he had often endeavored to ſound the Queen upon this point, but that ſhe always declined to explain her ſentiments. But to the Duke of Buckingham, who ſtood beyond compariſon higher in her favor and confidence, ſhe was far more explicit. This Nobleman, in a curious epiſtle to the Earl of Middleton, dated Feb. 15, 1712, under the guiſe of fictitious names and enigmatical expreſſions, informs his Lordſhip that the Queen complained "that her brother would not make the leaſt ſtep to oblige her." In anſwer to the Duke's arguments and remonſtrances, ſhe replied haſtily, "What would you have me do? You know that a Papiſt cannot inherit—therefore I had better do with a good grace what I cannot help."—And on being again urged, ſhe ſaid, "I do not ſee how I can undo what I myſelf have done, and done in ſuch a manner. He may thank himſelf for it. He knows I always loved him better than Hanover."

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ver." The Duke adds, "that he is convinced, if the *King* would return to the Church of England, all would be eaſy—nay, if he would but barely give hopes he would do ſo *." Such a change would doubtleſs have produced important conſequences; but, upon the whole, it is clear that the projects of the Jacobites met with no ſerious countenance or encouragement from the Court. The Earl of Strafford, who notwithſtanding his High-Church and Tory principles appears to have eſpouſed cordially and zealouſly the intereſts of the Electoral Houſe, affirms in his letter to the Princeſs Sophia, of December 1712, "That there is not one of a thouſand in the whole iſland who is a Jacobite." In a ſubſequent letter he ſays, "Believe me, Madam, all the noiſe made about the Pretender is groundleſs; and the Tories are full as much in your intereſt or rather more than the Whigs, though the latter have of late got a way of threatening the Tories with the Proteſtant Succeſſion, as if your Royal Highneſs, or thoſe of your illuſtrious Houſe who ſhould ſucceed the Queen, were not to reign over the Tories as well as the Whigs. I am ſure you know what is called Tory are thoſe which are for the Church of England." And in a letter of ſtill later date (May 1714), there is this remarkable paſſage: "After all the fooliſh and malicious outcry of the danger of the Pretender, I have aſked the people here (i. e. at the Hague) to tell me one thing done in his favor, or one thing left undone to exclude him, and to ſecure your ſucceſſion. Nay, I have deſired them to let me know what was deſired, or if there could be any thing more done to ſecure the Proteſtant Succeſ-

* It is very poſſible that the Duke of Buckingham, in his eagerneſs to make his court at St. Germaine's, may have been tempted to add ſome embelliſhments to his narrative of this converſation with the Queen, and it is therefore to be received with ſome caution. However this may be, certain it is, that the relation given by Mr. Macpherſon, in his hiſtory of the conference in queſtion, is by no means authoriſed by the Duke of Buckingham's own account as reported by the Agent Trevor; and the hiſtory is therefore to be read with ſtill more caution than the letter. Mr. M. makes the Queen ſay, "The example of the father has no weight with the ſon; he prefers his religious errors to the throne of a great kingdom. All would be eaſy, ſhould he enter the pale of the Church of England." This is abſolute fiction; for, though the Duke himſelf does indeed in the exceſs of his zeal make uſe of the *laſt words*, to aſcribe them to the Queen is a groſs falſification of hiſtory, and reſolves itſelf into inexcuſable negligence, or yet more inexcuſable miſrepreſentation.

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ſion in your illuſtrious Houſe; and if they would tell me, I would engage it ſhould be done." Nevertheleſs, the Whigs were inceſſant in their exclamations that the preſent Miniſters were forming deep and dangerous deſigns againſt the Proteſtant Succeſſion and in favor of the Pretender. The Duke of Marlborough, in a letter to M. Robethon, of February 1714, declares himſelf rejoiced to find, "that the Republic," i. e. of Holland, "takes the alarm, and begins to wake out of the lethargy it had fallen into ſince the peace of Utrecht. And he affirms, that the Queen's ill health, and the Miniſters' making ſuch open ſteps in favor of the Pretender as to leave *no doubt* of their intentions to place him on the Throne, have brought things ſo near a deciſion, that, unleſs the States deſign to look on and ſee us loſt, and conſequently themſelves, they could no longer remain inactive." And it appears in the courſe of the letter, that in conſequence of his repreſentations, together with thoſe of the other leaders of the Whigs, the States were equipping a great fleet to convoy a large body of forces to England, effectually to aſſert in caſe of need the Proteſtant Succeſſion in the Houſe of Hanover, of which they were the guarantees. This is therefore a demonſtrative proof of the real and zealous attachment of the Duke of Marlborough to the Hanoverian Succeſſion. Yet, ſtrange it is to tell, that the groſſneſs of his political hypocriſy was ſuch, as to incite him to maintain preciſely the ſame exterior to the Court of St. Germaine's. In a confidential converſation with one of the Agents of that Court (Trevor), as reported to the Earl of Middleton (November 1711), he ſolemnly declared, "that nothing ſhould be wanting on his ſide, as occaſions ſhould preſent—that he thought the King's buſineſs could not fail of going forward, and *that his religion would not be any hindrance to it*—He ſaid, he knew the Princeſs of Denmark well, that ſhe was *a very honeſt perſon*, eaſily won and wrought upon; but who at bottom had certainly no averſion from her brother. But ſhe was one that muſt not be frightened—and that *any external force uſed would rather do harm than good*, both in regard to her and others.—Whereas, if things were ſuffered to go on in their own train, the King's buſineſs would go on of itſelf, and he doubted not would

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would come to a happy concluſion*." It may be remarked, that the advice here given to the pretended King was in the higheſt degree artful and inſidious. For he intimates, 1ſt, that there exiſted no political neceſſity for changing his religion; and, 2dly, that it would be highly impolitic to make uſe of external force in order to effect his reſtoration; though, without employing one or other of theſe expedients, ſucceſs was, morally ſpeaking, impoſſible; and the counſel of this "traitor-friend" was manifeſtly calculated only to amuſe and to delude. The characters of the great leaders Oxford and Bolingbroke, however oppoſite, were equally adapted to impreſs the idea that extraordinary deſigns and projects were in agitation. Bolingbroke was a man of an adventurous and aſpiring genius—Oxford was full of ſecrecy and of myſtery; and he poſſeſſed for ſome years in reality, and ſtill in appearance, an unbounded influence over the Queen. "One is at a loſs," ſays Baron Schutz the Hanoverian Reſident, in a letter to Baron Bothmar (September 1713), "what character to give of this man: he told a ſtranger, who wanted to put him upon his guard againſt ſome one, 'I never truſted any one; I am determined not to truſt any one for the future; conſequently no one has deceived, or can deceive me." And we are informed in another letter from M. Galke, Secretary to the Embaſſy, "that in tranſacting buſineſs with the Treaſurer it is impoſſible to comprehend the anſwers he gives, much leſs to put them afterwards in writing." Such was at this period the political ſituation of Britain, and ſuch the ideas and apprehenſions prevailing in relation to the actual ſtate of things and their probable conſequences.

Affairs of Ireland.

Since the diſmiſſion of the Earl of Wharton from the Government of Ireland, that Kingdom had been ſinking under the baneful yoke of Tory influence and oppreſſion; Sir Conſtantine Phipps, Chancellor of the Kingdom, and one of the Lords Juſtices in the abſence of the Duke of Ormond, having the chief management of affairs. The Duke of Shrewſbury, a Nobleman admired, courted and feared by both parties,

* Macpherſon's Papers, vol. ii. p. 232.

being

being on his return from France appointed Lord Lieutenant, arrived in Dublin October the 27th 1713, and immediately checked the intolence and virulence of the predominant faction, by declaring publicly that he was ſtill the ſame as in the year 1688; and on the birth-day of King William, November the 4th, he commemorated with great demonſtrations of regard and veneration the glorious and immortal memory of that Monarch. The Parliament of Ireland meeting, after a new election, on the 25th of November, were told by his Excellency the Lord Lieutenant in his opening ſpeech, that her Majeſty, having procured a ſafe and honorable peace, had nothing now to wiſh but that her ſubjects might enjoy the benefits and advantages of it;—that her Majeſty had nothing more at heart than the preſervation of the rights and liberties of her People, and the ſettling them upon a laſting foundation by ſecuring the Proteſtant Succeſſion in the Houſe of Hanover." As the Earl of Nottingham co-operated with the Whigs without loſing the confidence of the Tories; ſo the Duke of Shrewſbury ſeemed to act with the Tories, without forfeiting his credit with the Whigs. The new Parliament convened under his auſpices ſoon manifeſted itſelf to be entirely Whig in inclination and principle. They forthwith ordered in a Bill to attaint the Pretender and his adherents; they took effectual meaſures to ſuppreſs all ſeditious and Jacobitical publications, which had been of late notoriouſly countenanced and encouraged; and they unanimouſly reſolved upon an Addreſs to the Queen for the removal of Sir Conſtantine Phipps from the Chancellorſhip. On the other hand, the Houſe of Lords, where the Tory intereſt prevailed, reſolved, that the Lord Chancellor Phipps had in his ſeveral ſtations acquitted himſelf with honor and integrity, and voted a Counter-addreſs. The two Houſes of Convocation attending at the Caſtle of Dublin to preſent an Addreſs ſimilar to that of the Lords; Mr. Moleſworth, afterwards Lord Moleſworth, ſo celebrated for his embaſſy to Denmark, being at this time a Member of the Iriſh Parliament and a Privy Counſellor of that Kingdom, ſaid aloud in the preſence and hearing of the Biſhops and Clergy: "They that have turned the world upſide down are come hither alſo." Enraged at this ſarcaſm, the Lower Houſe of Convocation ſent to the Upper a formal

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complaint of the words uttered by Mr. Moleſworth, which they aſſerted "to be an intolerable profanation of the Holy Scriptures, and ſpoken with a deſign to caſt an odium and aſperſion on their Graces and Lordſhips, and the whole body of the Clergy; whom they humbly prayed their Lordſhips to vindicate from this wicked calumny." The Biſhops immediately laid this complaint before the Houſe of Lords, who deſired a conference with the Commons on this important buſineſs, and left with them a copy of the paper delivered by the Convocation. But the Commons would take no cognizance of the complaint: and no redreſs being obtainable in Ireland, recourſe was had to a direct repreſentation to the Queen, by whom Mr. Moleſworth was, to the diſgrace of the preſent adviſers of the Crown, removed from the Privy Council.

The proceedings of the Iriſh Parliament being extremely diſliked by the Engliſh Miniſters, the Duke of Shrewſbury received orders to prorogue them, and they were ſuffered to meet no more during this reign. The Lord Lieutenant himſelf began to be very uneaſy at his preſent ſituation, where he now found himſelf little better than a State pageant. He knew the Queen's health to be extremely impaired; and, having certain meaſures to keep, and views to anſwer, he deſired and obtained leave to return to England; the Lord Chancellor Phipps, the Primate Lindſey, and the Archbiſhop of Tuam being in his abſence appointed Lords Juſtices of the Kingdom.

State of Europe.

When the Treaty of Utrecht was ſigned, Count Zinzendorf, Ambaſſador from the Court of Vienna, declared the reſolution of the Emperor to carry on the war, and hazard all rather than ſubmit to the preſcribed conditions. But the war being continued with ill ſucceſs on the part of Prince Eugene, who commanded on the Rhine with a very inferior force, during the ſummer of 1713, againſt M. Villars; and the French capturing the cities of Landau and Fribourg; the Imperial pride began to liſten ſeriouſly to the overtures of France, and a definitive peace was concluded at Al-Raſtadt November 1713, by which Naples, Milan, Sardinia and the Low Countries were ceded to the Houſe of Auſtria.

Treaty of Al-Raſtadt.

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The evacuation of Catalonia was agreed to, and a ſuſpenſion of arms with Spain; but Charles refuſed to recogniſe the title of his rival, King Philip. And the important fortreſs of Landau, which the Emperor might have ſecured by acceding to the Treaty of Utrecht, now remained with France. Soon after this were exchanged the ratifications of the Treaty between Great Britain and Spain; by which it was ſtipulated, that the Aſſiento Contract for ſupplying the Spaniſh Colonies with negroes ſhould be granted to England for the term of thirty years; that no part of the Spaniſh Weſt Indies ſhould ever be alienated from the Crown of Spain to France or any other Nation. Gibraltar and Minorca were ceded for ever to England: Sicily was yielded to the Duke of Savoy, but to revert to Spain in caſe of a failure of the line of Savoy. The Catalans were to receive a *pardon* on ſubmiſſion, and to enjoy the privileges of the inhabitants of the Caſtiles—i. e. in other words, they were to be diveſted of their own free Conſtitution, which they prized far more highly.

The war in the North of Europe ſtill continued, much to the diſadvantage of Sweden. The King of Denmark, who had long courted the favors of fortune in vain, at length ſucceeded in the ſiege of Stade, and in the ſubſequent reduction of the Duchy of Bremen, and contiguous principality of Verden. In the mean time the Czar invaded Finland with a great force, and reduced the whole province, with Abo its capital. And Count Steenbock the Swediſh General, who had long maintained his ground in Pomerania with great courage and ability, ſuſtained a grievous reverſe of fortune, and was compelled to ſurrender with his whole army priſoners of war—an event which ſtruck the Swediſh Nation with general conſternation. After ſeveral years' reſidence in Bender, the King of Sweden received orders from the Porte to quit the Ottoman territory; the Grand Seignor undertaking to procure him a ſafe paſſage to his own dominions: but with an obſtinacy and raſhneſs bordering upon inſanity he refuſed compliance, and fortified himſelf in the houſe where he reſided. But this being carried after ſuſtaining a regular aſſault, the King himſelf was made a priſoner and conveyed to Adrianople; the Swedes who had accompanied him to Turkey being for the

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moſt part ſold for ſlaves. After a variety of romantic adventures, the King of Sweden returned to his own kingdom, there to involve himſelf and his ſubjects in new dangers and new difficulties.

Towards the concluſion of the preſent year (1713), the aſcendency acquired by Lord Bolingbroke in the Cabinet began plainly to appear; and the reſignation of the Lord Treaſurer was the public theme of converſation. This added much to the fears and apprehenſions of the Whigs—Lord Bolingbroke being accounted the author of all the moſt obnoxious and violent meaſures lately adopted. At the end of December the Queen was ſeized with a ſevere fit of the gout, from which ſhe recovered very ſlowly and imperfectly. The public funds fell prodigiouſly, and there followed a great run upon the Bank; but, the Queen declaring in a letter to the Lord Mayor her intention to open the Parliament in perſon on the 16th of February (1714), the alarm ſubſided.

Seſſion of Parliament.

On the day prefixed the new Parliament accordingly met, being opened, notwithſtanding the preceding intimation, by commiſſion: and Sir Thomas Hanmer was choſen Speaker without oppoſition. But on the 2d of March the Queen went to the Houſe of Lords, and delivered a popular ſpeech, in which ſhe took occaſion to remark, "that there were ſome who had arrived at that height of malice as to inſinuate that the Proteſtant Succeſſion in the Houſe of Hanover was in danger under her Government. Thoſe," ſaid ſhe, "who go about thus to diſtract the minds of men with imaginary dangers, can only mean to diſturb the preſent tranquillity, and bring real miſchief upon us." This declaration was much better received by the Commons, who differed little from the complexion of their immediate predeceſſors, than the Peers, where the Whigs were ſo numerous and powerful. The grand queſtion being brought forward by the Earl of Wharton, whether the Proteſtant Succeſſion was in danger under the preſent Adminiſtration; a very warm debate of many hours' continuance enſued. And the Lord Treaſurer Oxford, laying his hand upon his heart, declared "that he had on ſo many occaſions given ſuch ſignal proofs of his affection to the Proteſtant

Debates on the danger of the Proteſtant Succeſſion.

ant

ant Succeſſion, that he was confident no Member of that auguſt Aſſembly could ever mean to call it in queſtion." The Proteſtant Succeſſion was at length voted out of danger by a ſmall majority, the numbers being 76 againſt 64. Upon this occaſion the Earl of Angleſey, who had the reputation of being at the head of the *Trimmers*, with various others of that ſagacious CORPS divided with the Whigs: and the moſt probable reaſon why ſo many of this claſs voted the Proteſtant Succeſſion to be in danger, was their firm perſuaſion that it was perfectly ſafe, and would ſpeedily take place.

The Earl of Wharton then moved, that an Addreſs ſhould be preſented to the Queen, to iſſue a proclamation promiſing a reward to any perſon who ſhould apprehend the Pretender dead or alive. To which Lord Trevor very humanely and properly propoſed to add, "in caſe of his landing or attempting to land in Great Britain or Ireland." To the motion thus mitigated and modified the Houſe agreed; and, on its being preſented to the Queen, ſhe replied in the following terms: "My Lords, it would be a real ſtrengthening to the Succeſſion in the Houſe of Hanover, as well as a ſupport to my Government, that an end were put to thoſe groundleſs fears and jealouſies which have been ſo induſtriouſly promoted. I do not at this time ſee any occaſion for ſuch a proclamation: whenever I judge it to be neceſſary, I ſhall give my orders for having it iſſued."

Writ demanded for the Electoral Prince.

The next ſtep which the never-ceaſing jealouſy of the Whigs led them to adopt, was to perſuade the Court of Herenhauſen, after much reluctant heſitation indeed, to order Baron Schutz to demand of the Chancellor a writ for the Electoral Prince as Duke of Cambridge, with a view to his reſidence in England, in direct contradiction to the ſentiments and policy they had ſo ſtrenuouſly defended in the early part of the preſent reign. It was now the turn of the Tories to oppoſe; and though it was impoſſible to deny the writ, the Queen expreſſed in a letter to the Princeſs Sophia her diſapprobation of the deſign in terms ſo pointed and forcible, that it was thought expedient to lay it aſide. Her Majeſty

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jeſty not only ſtated her ſurpriſe that an attempt ſhould be made ſo derogatory from her dignity and royal authority, but *her determination to oppoſe it, however fatal the conſequences might be.* And the Earl of Oxford in a letter to Baron Waſſenaer (April 1714), after declaring his unalterable and devoted attachment to the intereſts of the Electoral family, informs him *in confidence*, that one thing only can prejudice the Succeſſion in that Serene Houſe; which is, the endeavor to bring them or any of them over without the Queen's conſent. In order to prove the ſincerity of his profeſſions, the Lord Treaſurer had in the courſe of the preſent ſeſſion offered to Schutz the option of an Act empowering the Electreſs to name all the *Regents*, to the excluſion of the Great Officers of State; which it would have been the groſſeſt folly to have propoſed, had any real deſign been harbored inimical to the Succeſſion. But the Whig leaders treated the offer as artful and inſidious, ſaying, that he only wanted an opportunity of tampering with the Act of Succeſſion. Though the conduct of the Elector was very indiſcreet in regard to the two important points of the war and the writ demanded for the Electoral Prince; yet was it upon the whole cautious, temperate and judicious. It appears that the heads of the Whig party entertained at times ſchemes and projects highly romantic and extravagant; and that they had in particular a plan in contemplation, for the Elector to convey himſelf to England at the head of a body of Hanoverian troops—and if the States General refuſed to provide ſhips for the purpoſe, it was ſuggeſted that they might be had from the King of Denmark. Of this propoſition the Elector declared his total diſapprobation—and Robethon, in his diſpatches to England, treats the whole plan as dangerous, abſurd and impracticable.

The Earl of Oxford was not ignorant of theſe machinations—as a public proof of which he moved in the Houſe of Peers a Bill "for the further ſecurity of the Proteſtant Succeſſion," making it high treaſon to bring foreign troops into the kingdom. But it was forcibly objected, that a law againſt bringing troops into Great Britain to ſupport the cauſe of the Pretender was unneceſſary; ſince ſuch troops, if foreigners, might be

be treated as enemies—if natives, might be puniſhed as rebels: and the Bill was ſilently dropped.

It was a great object with the Elector to procure a royal *appanage* for his mother the Electreſs, who complained that ſhe had as yet gained nothing by the Engliſh Succeſſion but ſome ſheets of parchment. Mr. Thomas Harley, when at Hanover, had flattered the Electoral Court that the Lord Treaſurer would contribute to this with all his power, acknowledging that nothing could be more juſt—yet it was never mentioned in Parliament by either Tories or Whigs. On the contrary, the latter were very earneſt and importunate in their applications for money to the Elector, who parted with it, as may well be imagined, very reluctantly. And when it was propoſed to him to advance a large ſum to ſecure a majority of Members at the laſt General Election, he abſolutely and very properly refuſed, ſaying, "that the Court would always have the heavieſt purſe—That the Nation muſt exert itſelf, for that he could not ſave them againſt their will." The death of the Electreſs taking place at this period; the Elector of Brunſwic was, by an order of the Court, prayed for by name in all churches and chapels throughout England, as preſumptive heir to the Engliſh Crown.

Death of the Princeſs Sophia.

In May, a Bill to prevent the growth of ſchiſm was introduced, by which Diſſenters were, under very ſevere penalties, prohibited from all interference in the buſineſs of education. "For though," according to the obſervation of Lord Bolingbroke, who was the chief adviſer and defender of this, as of all the more daring and violent meaſures of the preſent Adminiſtration, "the evil *effect* was perhaps without remedy, and therefore entitled to ſome indulgence; the evil *cauſe* ought to be prevented, and was entitled to none." Notwithſtanding the utmoſt efforts of the Whigs, who were inflamed with a juſt indignation at this atrocious invaſion of the natural rights of mankind, this deteſtable Bill paſſed through the Houſe of Commons by a very great majority, viz. 237 againſt 126 voices. It was then carried by Sir William Wyndham, the original mover of it, up to the Houſe of Lords, where it excited one of the moſt violent

Schiſm Bill paſſed.

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violent and memorable debates which had occurred ſince the Revolution. The conduct of Lord Bolingbroke upon this occaſion clearly demonſtrated, that the unprincipled effrontery of infidelity may produce effects nearly ſimilar to, and full as fatal as, the moſt bigoted and furious fanaticiſm. This Nobleman, on the firſt reading of the Bill, declared it to be of the laſt importance, ſince it concerned the ſecurity of the Church of England, the beſt and firmeſt ſupport of the Monarchy—both which all good men, and more eſpecially the Members of that auguſt Aſſembly, who derive their luſtre from and are neareſt the Throne, ought to have moſt at heart: and he concluded with moving that it be read a ſecond time. The motion was oppoſed by the Lords Cowper, Wharton, Halifax, Townſhend, Nottingham, &c. It is a ſingular fact, that both the great leaders of the Adminiſtration, Oxford and Bolingbroke, were educated in the principles of Nonconformity; and in alluſion to this circumſtance the Earl of Wharton expreſſed his ſurpriſe to ſee men brought up in the boſom of Diſſent become the moſt zealous champions of the Church —and thoſe who had been indebted for their great acquirements to the ſeminaries deſcribed in the Bill, moſt forward for the ſuppreſſion of them. "It was melancholy," his Lordſhip ſaid, "that at a time when the Nation was menaced with the dangers of popery and ſlavery, a Bill ſhould be introduced tending to create diviſions amongſt Proteſtants, to weaken their intereſt, and to haſten their ruin. This would indeed be wonderful, did we not know the madneſs of thoſe Stateſmen who had deviſed and now ſtood forward as the ſupporters of the preſent Bill. To any other deſcription of perſons it would ſeem prepoſterous to ſtyle that ſchiſm in England which is the eſtabliſhed religion of Scotland—The counterpart of the meaſure was ſtill wanting; and he expected the Scottiſh Peers in the Houſe would move for another Bill to prevent the growth of ſchiſm in their own country. Precedents and authorities had been cited in favor of the preſent meaſure, but there was one authority of the higheſt weight which had not yet been mentioned. He acknowledged that it would have come with moſt force and propriety (turning round to the Biſhops) from that venerable Bench; but ſince their Lordſhips had been wholly ſilent in this debate, he would himſelf tell them, that it was the rule of the Goſpel

Goſpel to do unto others as we would be done unto." The Earl of Nottingham, whoſe attachment to the Church no one would venture to call in queſtion, owned, "he had formerly been of opinion that the occaſional conformity of Diſſenters was dangerous to the Eſtabliſhed Church, and therefore he had ever promoted the Bill to prevent it; but that, the Church having now that ſecurity, he believed her ſafe and out of danger, and therefore he thought himſelf in conſcience obliged to oppoſe ſo barbarous a law as this." The Lord Treaſurer, agreeably to his weak, wavering, and myſterious policy, contented himſelf with ſaying, "that he had not yet conſidered of the Bill, but when he had he would vote according as it appeared to him to be either for the good or detriment of the Country: he declared therefore for the ſecond reading." But in the ſubſequent ſtages of the Bill he abſented himſelf from the Houſe. A petition from the Diſſenters to be heard by Counſel againſt the Bill was rejected by 72 voices againſt 66. In the progreſs of the buſineſs a clauſe was inſerted, extending the operation of the Bill to Ireland, though the Duke of Shrewſbury, Lord Lieutenant of the Kingdom, declared ſtrongly againſt it, by a majority of 57 to 51 voices. And the general and final queſtion, that the Bill do now paſs, was carried by 77 to 72 voices. The royal aſſent was given, on the 25th of June, to the Schiſm Act, which was to take effect on the 1ſt of Auguſt following. But, in the deſtined courſe of events, on that very day a reverſe of fortune fatal to the authors of this infamous Bill took place—the dynaſty of the Stuarts came to its termination, and "the laſt ſpark of that direful Houſe went out."

Not to anticipate too far, it is ſufficient to ſay, that this was the ultimate triumph of the Tory party, many of whom were undoubtedly diſpoſed to have gone far greater lengths. But the Queen's conſtitution was now ſo entirely broken, that it was evident ſhe approached towards the concluſion of her life; and the Miniſters of the Crown, in the alarming proſpect of her diſſolution, thought of little elſe than their private intereſts and perſonal ſafety. Oxford and Bolingbroke were now ſo exaſperated againſt each other, that they could not abſtain from the moſt indecent and bitter altercation, even in the preſence of the Queen. On

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the 8th of June the Earl of Oxford preſented a Memorial to the Queen, containing a recapitulation of the principal events of his Adminiſtration—vindicating his own conduct, and reflecting with great acrimony upon that of his antagoniſt—whom he charged with endeavoring to enliſt a ſeparate party for himſelf in the Houſe of Commons from the beginning of February 1711. And in his uſual obſcure and myſterious language, he declares, "that the tranſactions which paſſed during his long confinement and abſence from buſineſs from the attempt of Guiſcard were too black to mention." But this remonſtrance made no impreſſion upon the mind of the Queen, who was now entirely alienated from the Lord Treaſurer, whoſe aſcendency over her had for ſome years been unſhaken and abſolute. Not a ſingle meaſure however was adopted at this critical period by the confidential Miniſters of the Crown, from which it could be inferred that they entertained deſigns inimical to the Proteſtant Succeſſion. On the contrary, attempts having been made to enliſt men for the ſervice of the Pretender; a Proclamation was immediately iſſued, promiſing a reward of 5000l. for apprehending the Pretender whenever he ſhould land, or attempt to land, in Great Britain or Ireland. Both Houſes voted an Addreſs of Thanks for this Proclamation; and the Commons, as a farther and demonſtrative proof of their attachment to the Proteſtant Succeſſion, aſſured her Majeſty, "that they would out of the firſt aids grant the ſum of 100,000l. as a farther reward to any who ſhall perform ſo great a ſervice to her Majeſty and her kingdoms; and alſo that they would heartily concur with her Majeſty in all other meaſures for extinguiſhing the hopes of the Pretender, and all his open and ſecret abettors." And this Addreſs was preſented to the Queen by the whole Houſe. At the ſame time, Lord Bolingbroke himſelf brought in a Bill, denouncing the penalties of high treaſon againſt thoſe who ſhould enliſt or be enliſted in the Pretender's ſervice. On the 9th of July the ſeſſion was terminated by a Speech from the Throne, in which the Queen affirmed, "that her chief concern was to preſerve the Proteſtant Religion, the liberty of her ſubjects, and the tranquillity of the kingdom."

Diſmiſſion of the Earl of Oxford.

On the 27th of July (1714) the Earl of Oxford, who in the preſence of

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the Queen had thrown out an impotent menace "to leave ſome perſons as low as he found them," was unexpectedly diveſted of the ſtaff of Treaſurer: and Bolingbroke found himſelf elevated to the ſummit of power by the ſudden and total fall of his rival. This ſplendid pre-eminence, however, he enjoyed only for a moment. The Queen, who was perceived to be extremely agitated from the time of the diſmiſſion of Lord Oxford, never recovered her compoſure of mind; but, as if altogether exhauſted by inceſſant fatigue, chagrin, and vexation, gradually ſank into a kind of lethargy, in which ſtate ſhe remained till Sunday Auguſt 1, 1714, when ſhe expired, in the 50th year of her age, and thirteenth of her reign.

Death of the Queen.

Whatever projects Bolingbroke might have in contemplation, they were entirely diſconcerted by the firmneſs and ſpirit with which the leaders of the Whig party acted upon this occaſion. A Meeting of the Privy Council being convened when the Queen was on the verge of departure; the Dukes of Somerſet and Argyll entered the Council Chamber, without any previous ſummons, to the aſtoniſhment of the majority of the Members. But the Duke of Shrewſbury aroſe and thanked them for their readineſs to aſſiſt the Council in that critical juncture. They then took their places; and it being repreſented as of the higheſt importance that the office of Lord Treaſurer ſhould be immediately filled, the Duke of Shrewſbury, already occupying the poſts of Lord High Chamberlain, and Lord Lieutenant of Ireland, was propoſed and unanimouſly agreed upon as the fitteſt perſon for that great truſt. The Queen's phyſicians, on examination, aſſuring the Council that her Majeſty was ſtill ſenſible; the Chancellor and ſeveral other Lords were nominated to attend her. On being informed of the recommendation of the Privy Council, ſhe expreſſed her entire approbation of it, and, giving with her own hands the Treaſurer's ſtaff to the Duke, charged him "to uſe it for the good of her people." The Queen, after an interval of ſome hours, relapſing into her lethargic ſtate; the Council proceeded by the moſt vigorous meaſures to provide for the ſecurity of the kingdom. Orders were diſpatched to ſeveral regiments of horſe and dragoons to march to-

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wards the metropolis. Directions were given for equipping a fleet with all expedition. An expreſs was ſent off to the Elector of Hanover, ſignifying, that the Queen's life was deſpaired of, and deſiring that he would without delay repair to Holland, where he would find a Britiſh ſquadron ready to convoy him to England. Inſtructions were at the ſame time diſpatched to the Earl of Strafford, Ambaſſador at the Hague, to demand from the States the performance of their engagements, as guarantees of the Proteſtant Succeſſion: and the heralds at arms were kept in waiting in order to proclaim the new King the inſtant the throne ſhould become vacant. No ſymptoms of popular tumult or diſcontent, much leſs of oppoſition, appeared on this great occaſion; and whatever might be intended, it is certain nothing was effected by the late Queen and her Miniſters in favor of the Pretender. The death of that Princeſs muſt, notwithſtanding, upon the whole, be regarded as a very ſeaſonable and fortunate event. For, had Bolingbroke been fully eſtabliſhed in the poſt of Prime Miniſter, it is impoſſible to aſcertain the extent of the miſchief which might eventually have reſulted from the union of ſuch uncommon talents with ſuch a total want or diſregard of principle.

Review of the character of Queen Anne.

Of the favorable opinion univerſally entertained by the Engliſh Nation reſpecting the general purity and rectitude of intention which diſtinguiſhed this laſt and beſt of the Sovereigns of the Houſe of Stuart, the epithet of the *good* Queen Anne, ſo commonly applied to this Princeſs, is itſelf a ſufficient proof. This *good Queen*, however, had imbibed in a very great degree the hereditary prejudices of her family reſpecting the nature and extent of the regal authority; and there is reaſon to believe that the ſucceſsful reſiſtance of the Nation to the late King James was in her eyes juſtified only by the attempts made to eſtabliſh Popery upon the ruins of the Proteſtant religion; to which, in the form exhibiting itſelf to her perception, as inculcated and profeſſed by the Church of England, ſhe entertained a zealous attachment, or rather a blind and bigoted devotion. As her prejudices, civil and religious, preciſely coincided with thoſe of the Tories, ſhe cheriſhed a ſtrong predilection for that powerful and dangerous faction, in oppoſition to the Whigs, who were conſidered for the

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moſt part as latitudinarians in religion, or at beſt as cool and lukewarm friends of the Church; and who certainly regarded the particular mode in which the Proteſtant religion was profeſſed as of little importance, when put in competition with the preſervation, enlargement, or ſecurity of the civil and religious liberties of the kingdom. But however blameable were the maxims and meaſures of her Adminiſtration, the Queen, individually conſidered, merits our pity at leaſt as much as our cenſure. Her partiality for her own family, and her diſlike of the Houſe of Hanover, were natural and pardonable. The Queen's own political conduct, notwithſtanding her high theoretical principles of government, was uniformly regulated by the ſtricteſt regard to the laws and liberties of the kingdom, for the welfare of which ſhe entertained even a maternal ſolicitude. And if ever ſhe indulged the idea of cauſing the Crown at her deceaſe to revert to the hereditary, and doubtleſs as ſhe imagined the true and rightful, claimant, it was only on conditions which in her opinion would have effectually ſecured both the Proteſtant Religion and the Engliſh Conſtitution from the hazard of future violation. In her perſon the Queen was comely and majeſtic. Her voice was harmonious: ſhe was not deficient in any of the accompliſhments of her ſex; and ſhe was a model of relative and domeſtic virtues. Her diſpoſition was, upon the whole, eaſy and gentle, though on particular occaſions ſomewhat ſullen and reſentful; and ſhe diſcovered an exceſſive jealouſy of the minuteſt encroachments upon her authority. Her capacity was extremely limited, but her intentions were always upright and laudable; and throughout the entire courſe of her reign, whether under the influence of Whigs or Tories, ſhe could boaſt the high and flattering eulogium of a boundleſs and irreſiſtible popularity.

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